

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1991

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, APRIL 16, 1991



Vol. 3

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. Legislative roster, listing names and addresses of all members of the current Legislature by district;
2. A listing of legislative days, with calendar dates and pages on which each day begins;
3. A topic index of general bills listed alphabetically by subject matter;
4. A topic index of local bills listed alphabetically by counties;
5. A topic index of resolutions;
6. A miscellaneous index, including all items not categorized as bills or resolutions;
7. A Senate resolution index listed alphabetically by sponsor;
8. A sponsor index, listing all Senate bills and resolutions alphabetically by author;
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11. A Senate joint resolution, Senate resolution numerical index, with short titles;
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13. Act Index.

TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, JULY 16, 1991

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by Senator Wendell Mitchell, Thirtieth Senatorial District.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Gerald Crumpton, Baldwin Junior High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

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REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM PREUITT,
Chairperson.

COMMITTEE REPORT

On motion of Senator Preuitt, the foregoing report was concurred in and approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate Amendment to the Bill:

H. 551. To amend Section 8-17-87 of the Code of Alabama, 1975, as amended, by increasing the inspection fee for gasoline by \$.075 per gallon and by increasing the inspection fee for diesel fuel, except diesel fuel used for certain special purposes by \$.075 per gallon and to amend Section 8-17-91 of the Code of Alabama, 1975, as amended, by providing that the proceeds from the increase in the gasoline and diesel fuel inspection fee shall be paid into the State Treasury and deposited into the Alabama Economic and Developmental Highway Trust Fund of the State Highway Department.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives Harvey, Rich, and McClain.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

Senator deGraffenried moved that the Senate accede to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, HB 551, the title of which is set out in the foregoing Message from the House.

Senator Windom offered a substitute motion that the Senate non-accede to the request of the House for a Committee on Conference on the disagreement of the two Houses.

STATEMENT BY THE PRESIDENT AND PRESIDING OFFICER

The President and Presiding Officer of the Senate announced that the Standing Committee on Local Legislation No. 3 would meet at 5 o'clock P.M.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 55. To exempt certain rescue service organizations operating within the State of Alabama from all state, county and municipal sales and use taxes.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 330. To authorize the establishment of watershed management authorities; to express legislative intent; to define relevant terms; to specify the purposes of said authorities; to define the land which may be included in an authority; to provide for the development of certain management guidelines; to provide the method for creating an authority; to provide for a hearing prior to creation; to create a board of directors to govern the authority and provide for the method of appointing or electing said board and their successors; to provide for the terms of office of board of directors members and the method of filling vacancies; to provide procedures for the operation of the board of directors; to provide for the reimbursement of expenses incurred by board members; to provide for the powers and duties of the board of directors; to authorize the issuance of bonds; to provide for the discontinuance of an authority and the assumption of assets; to provide for annual audits; to provide officers and employees of the authority shall

be subject to the state code of ethics; to authorize full-time employees of the authority to join the employees' retirement system and receive health insurance and other benefits; to provide an authority shall be subject to competitive bid laws and to exempt an authority from certain taxes.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF HB 551

The Senate proceeded to consideration of the Bill, HB 551. The question was on the Windom substitute motion to non-accede to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, HB 551.

On motion of Senator deGraffenried, the Rules were suspended and further consideration of the Message from the House, relative to HB 551, was postponed subject to the call of the Chair.

JOURNAL

And on motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same adopted by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senator Dial for today.

REPORTS OF COMMITTEES

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Horn:

S. 593. To make an appropriation from the Alabama Special Educational Trust Fund to the Blackbelt Human Resources, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

By Senators Bennett and Hale:

S. 598. To establish and provide for the "Tuition Guaranty Fund" in the state treasury; to reimburse students or entities which make loans to students of certain proprietary (for profit) postsecondary educational institutions which close prior to earning the tuition collected from their students; to provide for a board of directors to administer such fund; to provide for funding such fund; and to provide certain guidelines for use of the monies in the fund.

By Senators Owens, Horn, Ellis, Amari, Campbell, Wilson, Waggoner, Bennett, and deGraffenried:

S. 604. To amend Section 16-54-18, Code of Alabama 1975, relating to the University of Montevallo and certain endowment funds, so as to provide further for the transfer to said funds.

By Senator Sanders:

S. 675. To provide for an appropriation from the Alabama Special Educational Trust Fund to the Dallas County Board of Education (Salem Elementary School) for the fiscal year ending September 30, 1992.

By Senator Bailey:

S. 712. To make an appropriation from the Special Educational Trust Fund to the Wiregrass Museum of Art for the fiscal year ending September 30, 1992; and to require an operations plan and audited financial statement prior to release of any funds.

By Senator Hilliard:

S. 714. To amend Section 40-23-50 of the Code of Alabama 1975, relating to contractors gross receipts tax so as to provide further that the contractors gross receipts tax collected annually on contracts made by the contractor with the Alabama Highway Department, or with a municipality or county if such contract is authorized by the Alabama

Highway Department and funded in total or in part out of the Alabama Economic and Developmental Highway Trust Fund shall be distributed to the State Public Road and Bridge Fund; to provide for an annual allocation of not less than \$10,000,000.00 of said tax for public transportation purposes; to provide that funds not used during the year said funds are allocated, said funds may remain in escrow for a period not to exceed three years; to provide that funds in escrow may be re-allocated, by application, to either public transportation, state highways construction or maintenance programs; and to define public transportation.

By Rep. Turnham:

H. 183. To establish an Act relating to preschool special education services for children with disabilities, ages 3 through 5 years, inclusive; to provide a free appropriate public education for preschool children with disabilities, ages 3 through 5 years, inclusive, in accordance with the Individuals with Disabilities Education Act, previously known as the "Education of the Handicapped Act," Public Law 91-230 and all amendments thereto.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Substitute):

H. 203. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1992.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 211. To make an appropriation to the Department of Education for the fiscal year ending September 30, 1992.

By Rep. Harper:

H. 217. To make an appropriation to the Department of Youth Services for the fiscal year ending September 30, 1992.

By Rep. Harper:

H. 227. To make an appropriation from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama, the United Cerebral Palsy Development Center for East Central Alabama, the Simpson-May Cerebral Palsy Center, the Cerebral Palsy Housing Foundation, the United Cerebral Palsy of Mobile and the United Cerebral Palsy of Huntsville for the fiscal year 1991-92, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 228. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 234. To make an appropriation from the Alabama Special Educational Trust Fund to the East Alabama Child Development Center for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 246. To make an appropriation from the Alabama Special Educational Trust Fund for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Substitute):

H. 261. To make an appropriation from the Alabama Special

Educational Trust Fund to the Sickle Cell Education Program for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds. In addition, to make a conditional appropriation to the Sickle Cell Education Program for the fiscal year ending September 30, 1992.

By Rep. Harper (With Substitute):

H. 264. To make an appropriation to the Department of Public Health for the fiscal year ending September 30, 1992 for educational purposes.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 281. To appropriate the sum of \$750,000 from the Alabama Special Educational Trust Fund to the State Department of Education for the fiscal year ending September 30, 1991.

By Reps. Petelos, Curry, and Haynes:

H. 420. To amend Section 40-18-19(6), Code of Alabama 1975, relating to exemptions from state income taxes, so as to exempt all payments made to a retiree or beneficiary of a "defined benefit plan"; and to provide retroactive effect for the provisions hereof to January 1, 1991.

By Rep. Harper:

H. 857. To amend section 40-23-68 of the Code of Alabama 1975, to provide that the use taxes levied therein shall be paid to the State on a monthly basis beginning October 1, 1991.

Senator Preuitt, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 684. To repeal Section 36-15-5, Code of Alabama 1975, and

to provide for additional personnel and further duties of the Office of the Attorney General and to establish an additional means of funding therefor and to appropriate the Fund herein created.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 463. Relating to chiropractic services; to amend Sections 34-24-120 and 34-24-122, Code of Alabama 1975, relating to the definitions, authorities, rights and duties of chiropractic practitioners in Alabama, so as to provide further for the practice of chiropractic physicians, and the accreditation of schools of chiropractic, and to provide further for the authorities, rights and duties of chiropractic physicians.

Senator Ellis, Chairperson of the Standing Committee on Judiciary/Criminal Justice and Public Safety, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. McDaniel and Rich:

H. 435. To create a new district judgeship in Marshall County.

Senator Denton, Chairperson of the Standing Committee on Governmental Affairs/Local Government, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Hooper, Goodwin, Williams, White, Turnham, McClain, Turner, Biddle, Knight, Sanderford, Hill, Clark (J), Millican, Haynes, Johnson, Flowers, Gaston, Kvalheim, Harper, Beasley, Burke, Carothers, Ford, Poole, Black (L), Thomas, Layson, Cosby, Mathis, Cullins, McDowell, McKee, Blakeney, Fuller, Willis, Bowling, Black (M), Crow, Smith (R), Spratt, Rogers (J), Warren, Hogan, Cagle, Morrow, Drake, Gullatt, and Hawkins:

H. 509. To amend Section 12-17-81, Code of Alabama 1975, relating to salaries of the circuit clerks of this state; and to provide an

effective date of October 1, 1992 for the provisions of this act.

Senator Wilson, Chairperson of the Standing Committee on Energy and Natural Resources, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. White (With Amendment):

H. 64. To amend Section 9-17-33 of the Code of Alabama 1975, as amended, relating to the disposition of proceeds or royalties from the sale of oil or gas production, penalties for violations and judicial jurisdiction, so as to further provide therefor and for payment information requirements to interest owners; to provide for definitions for the section and exceptions; and to provide an effective date.

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Turner:

H. 794. To further provide for and regulate commercial fishing in Alabama; to amend Sections 9-11-141 and 9-11-142, Code of Alabama 1975, so as to provide for an exception (to the otherwise applicable licensing requirements of said sections) for certain assistants; and to amend Section 9-11-143, Code of Alabama 1975, so as to provide for an increase in certain license and issuance fees, relating to use of certain commercial fishing equipment.

Senator Ghee, Chairperson of the Standing Committee on Constitution and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. McDowell:

H. 825. To amend Section 21-4-22, Code of Alabama 1975, relating to guidelines required to make registration and polling places more accessible for handicapped and elderly individuals, so as to require that certain guidelines apply at registration and polling places at all elections.

Senator Campbell, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Ellis (With Notice and Proof):

S. 373. Relating to the zoning of real property in Shelby County; to prohibit zoning changes for a two (2) year period for property initially zoned by the county and subsequently annexed by a municipality; to provide a procedure for proposed zoning changes; to require a determination that no adverse property valuations would result from any proposed municipal zoning change; and to require notice and public hearings prior to the adoption of any proposed municipal zoning changes for such real property.

By Senator Sanders (With Notice and Proof):

S. 732. Relating to Dallas County; providing for fire protection in certain areas of the county; levying a special fire protection property tax; providing for certain exemption from such tax and for collection of such tax; providing for disposition of funds from such tax to the county fire association and to the volunteer fire departments; providing for expenditure and accounting of such funds; providing for treatment of funds upon dissolution or abandonment of a volunteer fire department; granting immunity from certain liability to the county and providing for a referendum election on the provisions of this act.

By Senator Wilson (With Notice and Proof):

S. 733. Relating to Walker County; to require the installation and maintenance of an improved system of indexing, recording and re-creation of certain documents recorded in the Office of the Judge of Probate; to provide the collection and disposition of a special indexing and recording fee; to provide for the collection of additional probate court cost fees; and to provide that said system shall constitute official and permanent records in Walker County.

By Senator Wilson (With Notice and Proof):

S. 734. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pickensville in Pickens County.

By Senator Hale (With Notice and Proof):

S. 735. Relating to Cullman County; to prohibit the hunting of deer with dogs.

By Senator Wilson (With Notice and Proof):

S. 736. Relating to Pickens County; to provide for the total rehabilitation of certain persons convicted of certain crimes and sentenced to a term of confinement in the Pickens County jail, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this act.

By Senator Wilson (With Notice and Proof):

S. 737. Relating to Pickens County and to sentencing and restitution court orders and providing further therefor; providing that in any conviction related to alcohol or drug abuse or trafficking and in which the court orders restitution, the judge may order and allocate a reasonable sum of such restitution to any county sheriff's office for additional funding of such office through the sheriff's pistol permit fee fund; prescribing that the provisions of this act shall be construed in pari materia with all laws relating to sentencing and restitution and pursuant to general law authorizing such local legislation enacted during the current term of the regular session; and prescribing an effective date.

By Rep. Bryant (With Notice and Proof):

H. 892. Relating to Hale County; to provide for an additional expense allowance for the county coroner.

By Rep. Bryant (With Notice and Proof):

H. 893. Relating to Hale County; authorizing the county commission to levy a severance tax on those persons, firms and corporations severing pit run sand, clay, sand-gravel, clay-gravel, sand-clay and gravel in the county; providing for the collection of the tax by the department of revenue; and providing for enforcement and distribution of the proceeds of the tax.

By Reps. Starkey and Hamilton (With Notice and Proof):

H. 909. To repeal Section 20 of Act No. 79-107, H. 171, of the 1979 Regular Session (Acts 1979, p. 129), relating to Lauderdale County and the office of ex officio license inspector, so as to abolish the ex officio office; to authorize the county commission to appoint the Lauderdale County license inspector pursuant to Section 40-12-10 of the Code of Alabama 1975, as amended; and to specifically provide that the office of county license commissioner shall be preserved as well as the remainder of said Act No. 79-107.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Figures (With Substitute):

S. 713. To provide for the conditions under which an election may be held among the qualified voters of any incorporated municipality in Mobile County to determine whether alcoholic beverages may be legally sold and distributed in a municipality on Sundays by properly licensed retailers serving the general public; to provide conditions under which subsequent elections may be called to present the same question for reconsideration by the voters of the municipality; to provide the allowable dates on which elections called pursuant to this act may be held, to specify the question to be presented to the voters in such elections and to provide the manner in which such elections shall be conducted and the results canvassed, tabulated, certified and declared; to provide that the properly licensed sale and distribution of alcoholic beverages on Sunday, if approved by a majority of the voters in a municipality in an election held pursuant to this act, shall be legal in all of the municipality.

By Rep. Clark (W) (With Notice and Proof) (With Substitute):

H. 890. To provide for the holding of an election among the qualified voters of Mobile County to determine whether alcoholic beverages may be legally sold and distributed in said county on Sundays after 12:00 o'clock noon by properly licensed retailers serving the general public; to provide conditions under which subsequent elections may be called to present the same question for reconsideration by the voters of Mobile County; to provide the allowable dates on which elections called pursuant to this act may be held, to specify the question to be presented to the voters in such elections and to provide the manner in which such elections shall be conducted and the results canvassed, tabulated, certified and declared; to provide that the properly licensed sale and distribution of alcoholic beverages on Sunday after 12:00 o'clock noon, if approved by a majority of the voters in Mobile County in an election held pursuant to this act, shall be legal in all of Mobile County, including each municipality or part thereof that is located in Mobile County, irrespective of whether a majority of the voters of each such municipality voting in such election voted against the expanded sale and distribution of alcoholic beverages on Sunday; and to provide that, with respect to any municipality having a part thereof located outside of Mobile County, any election conducted pursuant to this act shall involve

only those voters of such municipality who are voters of Mobile County and the results of such election shall apply only to those parts of such municipality that are located in Mobile County.

RESOLUTION

Senators Denton, Foshee, deGraffenried, Bennett, Hale, Bailey, Horn, Lipscomb, Smith (J), Preuitt, Mitchell, Smith (B), Sanders, Ellis, Owens, Barron, Waggoner, and Mitchem requested and received permission to suspend the Rules to offer the following Senate Joint Resolution, to-wit:

SJR 145. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE ON FINANCING THE CONSTRUCTION OF HIGHWAY PROJECTS CONTAINED IN THE ALABAMA ECONOMIC AND DEVELOPMENTAL HIGHWAY PROGRAM.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the financing of the construction of highway projects contained in the Alabama Economic and Developmental Highway Program. The committee shall be composed of the members of the joint highway committee, created pursuant to Section 29-2-2, Code of Alabama 1975, and five members of each house, to be appointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of the methodologies for financing the early construction of highway projects contained in the Alabama Economic and Developmental Highway Program.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the 5th legislative day of the next legislative session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$7,500.00.

The committee shall have subpoena power.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 424. To provide for a county law library in Madison County, and for the personnel, space, funding, operation, and maintenance thereof, making said law library part of a network with the other law libraries in the state for their mutual benefit; permitting the present Madison County law library to come under the provisions of this act if it elects to do so; and levying a library fee in certain court cases.

Also:

S. 499. Relating to Mobile County; amending Act No. 87-663, S. 498, 1987 Regular Session (Acts 1987, p. 1172), which provides for the acceptance of certain unimproved roads and regulates the construction of certain other unimproved roads, so as to provide further for the construction of certain roads; and providing additional exemptions thereto.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clay (With Notice and Proof):

H. 1049. Relating to Macon County; creating a Macon County Economic Development Authority and providing for said authority's composition, terms, duties, functions, powers and personnel of such authority.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1049, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Drake (With Notice and Proof):

H. 1056. Relating to Cullman County; to amend Section 1 of Act No. 1247, H. 1642, Regular Session 1971 (Acts 1971, p. 2147), relating to the issuance of pistol permits so as to increase the fee therefor.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1056, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Willis (With Notice and Proof):

H. 1059. Relating to Calhoun County; on and after the effective date of this act, subject to his or her having made a timely election, in writing, each commissioner of the Calhoun County commission shall be entitled to either have an automobile furnished by Calhoun County, and payment or reimbursement for fuel and oil, and repairs of said automobile, for use in carrying out his official duties as a commissioner, or a certain expense allowance in lieu of use of an automobile and payment or reimbursement for fuel, oil and repairs therefor.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1059, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Willis (With Notice and Proof):

H. 1060. Relating to Calhoun County; to provide for the salaries

of certain officials and the sheriff of the county to become effective upon the expiration of the present terms of office of the incumbent officeholders, and to provide an expense allowance for certain officials which will terminate upon the expiration of their present terms of office.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1060, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1049, 1056, 1059, and 1060 - to the Committee on Local
Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clay (With Notice and Proof):

H. 1048. Relating to Macon County; providing for the reorganization of the county commission; to provide for employees, the chief clerk of the county, term of office, providing for majority vote of the county commission; and providing for a referendum.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1048, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Poole (With Notice and Proof):

H. 1050. Relating to the City of Tuscaloosa in Tuscaloosa

County; to amend Section 11 of Act No. 249, S. 291, 1947 Regular Session (Acts 1947, p. 174), so as to provide further for the civil service system governing the appointment of certain employees of the city.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1050, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Poole (With Notice and Proof):

H. 1051. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa; further amending Sections 4, 8 and 9 of Act No. 328, H. 854, 1959 Regular Session (Acts 1959, p. 907) as last amended, which provide for the composition of the Board of Trustees and the conduct of its business, so as to provide further for the membership of such board.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1051, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1048, 1050, and 1051 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Zoghby (With Notice and Proof):

H. 1077. To amend only Section 7(a) of Act No. 31 of the Second Special Session 1975 (Acts 1975, p. 141), as amended, which relates to the incorporation in any municipality, having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent federal decennial census, of an authority, as a public corporation, for the purpose of providing public transportation service in such county and the composition of the authority, so as to further provide for an additional member of the board of directors and increase the member to seven.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1077, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Holley (With Notice and Proof):

H. 1082. Relating to Coffee County; providing for a special recording fee for each document filed for record in the office of the Probate Judge and to provide for the distribution of such fees.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1082, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Holley (With Notice and Proof):

H. 1083. Relating to Coffee County; providing that the Coffee County Commission shall meet at the New Brockton Farm Complex.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1083, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Penry and McMillan (With Notice and Proof):

H. 1096. Relating to Baldwin County; providing for a planning and zoning commission for the unincorporated areas of Baldwin County; providing for the organization, membership, functions, authority and jurisdiction of such commission; providing for planning and zoning authority and jurisdiction for the Baldwin County Commission; providing for planning and zoning districts in the county; providing for the membership and qualifications of the members of boards of adjustment for such districts; providing for the organization, functions, authority and jurisdictions of such boards of adjustment; providing for the formulation and implementation of development plans for such districts; providing for assessment of a certain development privilege fee on properties within such districts and providing how funds derived from such fees may be expended; providing for fees for the administration of ordinances and regulations; providing procedures for adoption and approval of a comprehensive land use development plan for the county; providing for the appeal of decisions of the boards of adjustment; providing for the adoption of planning and zoning regulations by the Baldwin County Commission; providing for amendments to the master plan, ordinances and regulations; providing for conflicts in authority and providing for remedies to aid in the enforcement of this act.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1096, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

HB 1077 - to the Committee on Local Legislation No. 3

HB's 1082, 1083, and 1096 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clark (W) (With Notice and Proof):

H. 1058. To provide for the conditions under which an election may be held among the qualified voters of any incorporated municipality in Mobile County to determine whether alcoholic beverages may be legally sold and distributed in a municipality on Sundays by properly licensed retailers serving the general public; to provide conditions under which subsequent elections may be called to present the same question for reconsideration by the voters of the municipality; to provide the allowable dates on which elections called pursuant to this act may be held, to specify the question to be presented to the voters in such elections and to provide the manner in which such elections shall be conducted and the results canvassed, tabulated, certified and declared; to provide that the properly licensed sale and distribution of alcoholic beverages on Sunday, if approved by a majority of the voters in a municipality in an election held pursuant to this act, shall be legal in all of the municipality.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1058, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Rich (With Notice and Proof):

H. 1090. Relating to the City of Arab; approving an increase of the five mill ad valorem tax levied in the city pursuant to the general provisions of the Constitution and laws of the State of Alabama by nine and one-half mills to fourteen and one-half mills, all in accordance with Amendment No. 373 to the Constitution of Alabama of 1901; such additional nine and one-half mill tax to be levied and collected for each year beginning with the levy for the tax year October 1, 1991, to September 30, 1992 (the tax for which year will be due and payable

October 1, 1992) and ending with the levy for the tax year October 1, 2020, to September 30, 2021 (the tax for which year will be due and payable October 1, 2021) and to be used by the city board of education for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of the city at a special election called and held in accordance with the law governing special elections.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1090, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

HB 1058 - to the Committee on Local Legislation No. 3

HB 1090 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Newton (C), Johnson, Beasley, Carothers, Mathis, Warren, Mikell, and Black (L):

H. 287. To address the nursing shortage affecting the Alabama Department of Public Health in rural areas by providing for loans for books, tuitions, fees, and other educationally-related expenses incurred by employees of the Alabama Department of Public Health attending nursing school on a part-time or full-time basis; to require such loan

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recipients to enter into a contract committing them to work as nurses full-time for the health department or for a federally-funded community health center in a rural area or underserved area of the state for at least four years; to provide for forgiveness of such loans for recipients who serve the health department in rural or underserved areas; to provide civil penalties for loan recipients who fail to honor the contract; to provide for full-time or part-time employment for such recipients while attending school.

Also:

By Rep. Cosby:

H. 442. To induce tourism to the state of Alabama; to simplify the administration of certain existing tax requirements relating to tour bus operations; to amend Sections 40-19-1 and 40-17-150 of the Code of Alabama 1975, to define the term tour bus, and to amend 40-19-2 to exempt tour buses and charter party vehicles from the provisions of sections 40-19-3 through 40-19-17 of the Code of Alabama 1975, commonly known as the Motor Carrier Mileage Tax; to amend section 37-3-32 of the Code of Alabama 1975, as it applies to tour buses subject to the \$4.00 registration fee and the motor carrier fuel tax levied under section 40-17-141, to provide for a single remittance; provide for a system of remittance by a single check, money order, or, upon adoption of a duly promulgated regulation, by electronic funds transfer; and to provide for an effective date.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

HB 287 - to the Committee on Health

HB 442 - to the Committee on Economic Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Curry, Newton (D), Petelos, Perdue, McClain, Buskey (JL), McDowell, Fuller, Hawkins, and Gullatt:

H. 515. To amend Section 22-3-1 of the Code of Alabama 1975, relating to how county boards of health are constituted, so as to authorize the presiding officer of each county commission to appoint a county commissioner to serve as a member on said boards in lieu of the presiding officer.

Also:

By Reps. Knight and Hill:

H. 678. To provide that all full-time employees and executive officers of the Developing Alabama Youth Foundation may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Foundation and its employees shall assume all costs, both contributory and administrative; and that no costs shall devolve upon the state.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

HB 515 - to the Committee on Governmental Affairs/Local Government

HB 678 - to the Committee on Judiciary/Criminal Justice and Public Safety

HOUSE MESSAGE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Mathis:

H. 347. To amend Sections 40-6-1, 40-6-3, and 40-6-4, Code of Alabama 1975, as amended, relating to the qualifications, compensation, and benefits of supernumerary tax assessors, tax

collectors, revenue commissioners, license commissioners or other elected or appointed officials charged with the assessment and/or collection of ad valorem taxes, so as to establish the minimum age of qualification; to provide for an increase in compensation; to provide further for the method of determining such compensation; to provide for future increases in such compensation and the compensation of surviving spouses of such officials; to exempt the compensation of such officials and their surviving spouses from state income tax after 1990; and to repeal Sections 40-6-5, 40-6-7 and 40-6-8, which relate to election to participate in the tax collectors and tax assessors supernumerary program.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 347 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 219. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Central Alabama Opportunities Industrialization Center for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 219 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hawkins and Turnham:

H. 959. To authorize the governing body of a municipality to exempt the homesteads of residents over 65 years of age, or who are retired due to permanent and total disability, or who are blind, in whole or in part from any ad valorem property tax increase imposed for public school purposes.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 959 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson and Beasley:

H. 153. To add a Section 34-23-75, Code of Alabama 1975, Alabama Pharmacy Practice Act, which would allow licensed

pharmacists to refill a prescription for up to a 72 hour supply, when they are unable to obtain refill authorization from the prescriber.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 153 - to the Committee on Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Venable:

H. 537. To amend Sections 36-30-1 and 36-30-20 of the Code of Alabama 1975, so as to broaden the definition of "Peace Officer"; to make the provisions hereof retroactive to January 1, 1990.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 537 - to the Committee on Governmental Affairs/State Administration

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Poole, Beasley, Johnson, Haynes, Mathis, and Layson:

H. 718. To amend Sections 36-30-20 and 36-30-21, Code of Alabama 1975, so as to extend the coverage of benefits for "Policemen's Occupational Diseases" to other law enforcement officers.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 718 - to the Committee on Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Smith (C) and Powell (With Notice and Proof):

H. 1042. Relating to Chilton County; authorizing the county coroner to appoint deputies.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1042, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Smith (C) and Powell (With Notice and Proof):

H. 1043. Relating to Chilton County; providing certain additional compensation for the poll workers to be paid from the county general fund.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS

ATTACHED TO THE BILL, HB 1043, AS REQUIRED IN THE
GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Smith (C) and Powell (With Notice and Proof):

H. 1044. Relating to Chilton County, to provide for an additional
expense allowance for the tax collector.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS
ATTACHED TO THE BILL, HB 1044, AS REQUIRED IN THE
GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing
Message from the House, were severally read one time and referred to
appropriate Standing Committee, as follows:

HB's 1042, 1043, and 1044 - to the Committee on Local Legis-
lation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and
ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson (With Notice and Proof):

H. 1081. To alter, rearrange and extend the boundary lines and
corporate limits of the municipality of Sylacauga, in Talladega County.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS
ATTACHED TO THE BILL, HB 1081, AS REQUIRED IN THE
GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 1081 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hill and Knight (With Notice and Proof):

H. 1069. Relating to Shelby County; providing further for the compensation of the circuit clerk of the county.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1069, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Hill (With Notice and Proof):

H. 1071. Relating to Shelby County, Alabama; to provide for the creation, maintenance and regulation of public corporations for the purpose of forming units for preventing and fighting fires and providing emergency services to sustain life, health and property, and to prescribe conditions and regulations relative to the creation of such public corporations; to prescribe the organizational structure, rights and powers of such public corporations; to prescribe certain limitations on the rights and powers of such public corporations and to provide for elections on

questions of formation, indebtedness and financial support of such corporations.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1071, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Knight and Hill (With Notice and Proof):

H. 1072. Relating to the City of Alabaster in Shelby County; authorizing an additional ad valorem tax and providing for a referendum.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1072, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Hill and Knight (With Notice and Proof):

H. 1073. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Calera in Shelby County.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1073, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1069, 1071, 1072, and 1073 - to the Committee on Local
Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Butler, Hall, and Grayson (With Notice and Proof):

H. 965. Relating to Madison County; to amend Section 1 of Act No. 80-277, H. 117, 1980 Regular Session, as amended, which provides for the distribution of TVA payments, so as to provide further for such distribution.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 965, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Butler (With Notice and Proof):

H. 974. Pertaining to Madison County; to amend Section 2 of Act No. 90-695, H. 789 of the 1990 Regular Session (Acts 1990, p. 1350), so as to further provide for the disbursement of court costs imposed by said act.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 974, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Butler and Freeman (With Notice and Proof):

H. 1024. Relating to Madison County; providing for a county supplement for court reporters in the Twenty-third Judicial Circuit.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1024, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 965, 974, and 1024 - to the Committee on Local Legislation
No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Freeman (With Notice and Proof):

H. 988. Relating to Madison County; prescribing the salaries of the chairman and the members of the Madison County Commission and abolishing annual expense allowances.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 988, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 988 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Clark (J) (With Notice and Proof):

H. 1041. To authorize the city council of the City of Eufaula, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Eufaula, on all taxable property situated within the City of Eufaula, the special ad valorem tax for public school purposes which is authorized in Amendment No. 56 to the constitution, to a maximum rate, for any tax year of the city, which is equal to \$1.30 on each one hundred dollars (13 mills on each dollar) of assessed value.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1041, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 1041 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson and Haynes (With Notice and Proof):

H. 1080. Relating to Talladega County; to raise additional revenue by levying in those parts of the county outside the corporate limits of the cities located in Talladega County special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes; providing for the ascertainment, collection, payment, distribution and use of the proceeds from such taxes, and for the enforcement of this act by the state department of revenue and penalties for violations; and further providing for liability of county commissioners for failure to follow said act.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1080, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 1080 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Venable and Mikell (With Notice and Proof):

H. 1094. Relating to Elmore County, providing further for the compensation of the coroner.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1094, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Higginbotham and Turnham (With Notice and Proof):

H. 1095. Relating to county officers of Lee County who are required by law to receive revenue through their respective offices; to establish in the county general fund a special reserve fund of \$5,000.00 to be available to said officers to charge off bad or uncollectable checks, provided that all other legal remedies shall be pursued to collect such unpaid items.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1095, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1094 and 1095 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Clay (With Notice and Proof):

H. 935. Relating to Macon County; providing further for the salary of the chairman of the Macon County Commission and providing retroactive effect as to the incumbent chairman's salary.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 935, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Clay (With Notice and Proof):

H. 934. Relating to Macon County; authorizing the Macon County board of education to increase the ceiling for the superintendent of education and to set the salary of the superintendent of education; and providing for the board of education to increase or set expense allowances, any other compensation and/or supplement as provided by law.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 934, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Hill (With Notice and Proof):

H. 1029. Relating to the Eighteenth Judicial Circuit of Alabama; to amend Act No. 79-523, H. 426, 1979 Regular Session, so as to provide an increase in expense allowance for each official reporter within the said judicial circuit.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1029, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 935, 934, and 1029 - to the Committee on Local Legislation
No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 405. Relating to Jackson County; providing certain expense allowances for the chairperson and associate members of the Jackson County commission.

Also:

S. 408. Relating to Jackson County; to amend further Section 1 of Act No. 79-473, S. 639, Regular Session 1979 (Acts 1979, p. 873), as amended, so as to provide further for distribution of funds received by the county from payments made in lieu of taxes made by the Tennessee Valley Authority.

Also:

S. 475. Relating to the City of Opelika; to provide that the City of Opelika shall not exercise police jurisdiction or taxing power in any county unless a part of its corporate limits also lies in the county.

Also:

S. 476. Relating to Lee County, to impose a fee on the rental of video cassettes; to provide for the method of reporting and paying the fee; to provide for a fee for the Lee County tax collecting official for the collection of same; and to provide for penalties for failure to pay.

Also:

S. 498. Relating to Limestone County; so as to further provide for an additional expense allowance and expiration date therefor and the sheriff's compensation, in the next term of office for sheriff.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Haynes:

H. 584. To amend section 37-2-41, section 37-4-23 and section 37-4-116 of the Code of Alabama 1975, relating to the inspection and supervision fees paid by transportation, utility, and radio utility companies, so as to provide further for such fees; and to provide for the future compensation of certain employees.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 584 - to the Committee on Economic Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Zoghby:

H. 412. To further provide for payroll deductions for public officers and employees, so as to establish an annual Alabama state employees combined charitable campaign; to repeal Section 36-1-4.1, Code of Alabama 1975, as amended, relating to local United Way agencies and certain other health charities and payroll deductions.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 412 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Zoghby and Payne:

H. 141. To amend Section 12-15-61, Code of Alabama 1975, relating to certain facilities used for detention and shelter care of children, so as to provide further for such detention and shelter care and to provide for subsidy by the state of certain costs thereof, effective October 1, 1991.

Also:

By Rep. Letson:

H. 401. To amend Section 2-27-9 which provides for registration of pesticides by raising the annual registration fee from \$50 up to \$100.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

HB 141 - to the Committee on Public Welfare

HB 401 - to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 100. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1989 Special Session and the 1990 Regular Session of the Legislature, as contained in the 1990 Cumulative Supplement to certain volumes of the Code and in the 1990 Replacement Volume 14 of the Code; and to make corrections in certain volumes of such cumulative supplement.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 100 - to the Committee on Constitution and Elections

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Carothers, Layson, Beasley, Haynes, Newman, Ford, Hill, Penry, Johnson, Turner, Millican, Mikell, Newton (C), Mathis, Laird, Dolbare, Willis, Crow, Hogan, Blakeney, Kvalheim, Gaston, McMillan, Powell, Zoghby, Rockhold, Gullatt, Cullins, Burke, Bowling, Carns, Hawkins, Sanderford, Haney, Smith (R), Hamilton, Richardson, Lindsey, McDaniel, Gaines, Morton, Sanderson, Knight, Rogers (F), Parker (T), Parker (P), Smith (C), Hall, Butler, Campbell, Starkey, Harvey, Turnham, Flowers, Cosby, Venable, Williams, Holladay, Clark (J), and Biddle:

H. 437. To require all persons 16 years of age or older to present certification of completion of an approved hunter education course prior to obtaining a hunting license and provides penalties for violations.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 437 - to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Zoghby (With Notice and Proof):

H. 980. Relating to the City of Mobile, to amend Act No. 243, H. 278, First Special Session of 1964, which provides for the pension and relief system for policemen and fire fighters of the City of Mobile, so as to provide for increased contributions to such system; to further define the certain terms; to provide further for the appointment of members to the pension board; to establish the pension rights of employees hired after the passage of this act; to provide for continued contributions; and to limit the time period during which a re-hired employee may buy back time from the system.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 980, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Hill (With Notice and Proof):

H. 1030. Relating to Shelby County, amending Section 1 of Act No. 191, H. 525, 1971 Regular Session, which provides a special expense allowance of \$2,400.00 per annum for the presiding circuit judge of the Eighteenth Judicial Circuit above that of the other Circuit Judges, said allowance also being outside the current \$15,000.00 expense allowance for each Circuit Judge, so as to provide that such

\$2,400.00 may be received by the presiding judge's confidential employee at his designation.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1030, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Smith (C) and Knight (With Notice and Proof):

H. 1031. Relating to Bibb County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Bibb County; prohibiting the performance of certain work on private property and providing civil fines for violations; and providing for this bill to become effective on October 1, 1991.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1031, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

HB 980 - to the Committee on Local Legislation No. 3

HB's 1030 and 1031 - to the Committee on Local Legislation
No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Beasley, White, Johnson, Mikell, Richardson, Laird, Carter, Carothers, Mathis, Thomas, Williams, Warren, Newton (C), Haynes, Flowers, Hall, Clay, Cosby, Kvalheim, Smith (C), Bowling, and Knight:

H. 293. Relating to unemployment compensation; to amend Section 25-4-32 of the Code of Alabama 1975, so as to make indefinite the authority to requisition certain funds credited to the state's trust fund account in the United States treasury pursuant to Section 903 of the Social Security Act in compliance with a recent congressional amendment; to amend sections 25-4-40 and 25-4-54, Code of Alabama 1975, so as to extend the Employment Security Administration Enhancement Act through December 31, 1994; to make permanent the provisions for relief to certain employees affected by a declared natural disaster and to clarify the procedure for determining shared costs.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 293 - to the Committee on Business and Labor Relations

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Penry, McMillan, and Clark (J):

H. 365. To provide for and require a "commercial party boat"

license for certain fishing boats; to provide that persons fishing on said boats may do so and may land certain fish, without a fishing license; to provide for the application for and issuance of said licenses; to prohibit the transfer of, borrowing of, lending of or alteration of, said licenses; to prohibit the back-dating of said licenses; to provide for an annual expiration date for said licenses; to provide misdemeanor penalties for the violation of this act; to provide for the remittance of and use of license revenues; and to provide for an effective date of this act.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 365 - to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Thomas, Buskey (JL), Warren, Bryant, Black (L), and Zoghby:

H. 531. To authorize the Secretary of State to employ an additional employee.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 531 - to the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Knight, Hill, and Richardson:

H. 138. To provide for a special lifetime hunting, fishing, and combination license for sixty-four year old residents.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 138 - to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Flowers:

H. 51. To exempt the Alabama Baptist Children's Homes and the North Alabama Christian Children's Home from the payment of all state, county and municipal sales and use taxes.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 51 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Knight and Smith (C) (With Notice and Proof):

H. 1033. Relating to Bibb County; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing those procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1033, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Knight and Smith (C) (With Notice and Proof):

H. 1034. Relating to Bibb County; authorizing the levy in such county of an additional tax, paralleling the state sales tax provided for in article 1 of chapter 23 of Title 40 of the Code of Alabama 1975, as amended; providing for certain exemptions; providing for the collection of such tax by the state department of revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing for an effective date.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1034, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1033 and 1034 - to the Committee on Local Legislation
No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 99. To amend section 22-21-5 of the Code of Alabama 1975, to grant to public bodies organized under the said section the powers of health care authorities organized under Article 11 of chapter 22 of the Code of Alabama 1975.

Also:

By Reps. Carothers, Mathis, and Beasley:

H. 357. To amend Section 11-88-5 of the Code of Alabama 1975, as amended, relating to the authorization and procedure for amendment of the certificate of incorporation of water, sewer and fire protection authorities with a service area that lies solely within one determining county so as to permit changes in the number of directors of such authorities to any odd number thereof that the board shall deem appropriate, and to provide that the total number of directors of any such authority shall be not less than three or more than five; to validate the membership of the boards of directors of all such authorities as are presently in existence; and to provide an effective date.

Also:

By Rep. Richardson:

H. 953. To provide that each public corporation which is

authorized by law to operate a water system and to borrow money for use for one or more of its corporate purposes shall be specifically authorized to sell and issue bonds of such public corporations; to specify the use of proceeds of such bonds and the source of payment thereof; to make certain provisions with respect to the form, terms, denominations, tenor and maturities of such bonds, the interest thereon and the method and time of computing and paying such interest; to provide for the sale, execution and delivery of such bonds; to provide for liability on such bonds and security for the payment of principal thereof and interest thereon; and to make certain other provisions with respect to the borrowing of money and the issuance of bonds or other obligations by such public corporation.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

HB 99 - to the Committee on Health

HB 357 - to the Committee on Governmental Affairs/Local Government

HB 953 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Richardson:

H. 390. To amend Sections 9-11-55 and 9-11-56, Code of Alabama, 1975, relating to certain nonresident fishing licenses, so as to further provide for the cost thereof.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 390 - to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Box (With Notice and Proof):

H. 895. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits to the City of Chickasaw, to describe the area so removed from the City of Mobile and so added to the City of Chickasaw and to provide for approval by affected property owners.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 895, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 895 - to the Committee on Local Legislation No. 3

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Hooper, Sanderson, Hawkins, Gaines, Fuller, and Knight:

H. 85. Relating to immunity from civil liability while in volunteer service without compensation for a nonprofit organization or corporation or governmental entity; to provide that any public or community service volunteer without compensation shall be immune from civil liability in any civil action on the basis of any act or omission of such volunteer resulting in damage or injury if said volunteer was acting in good faith within the scope of his official functions and such damage or injury was not caused by willful or wanton misconduct; to provide that the responsibility of an established act or omission of a volunteer shall be the responsibility of the principal organization under the doctrine of "respondeat superior."

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 85 - to the Committee on Public Welfare

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Flowers:

H. 752. To amend section 22-30B-2, Code of Alabama 1975, relating to fees paid by operators of commercial sites for the disposal of

hazardous wastes or substances; so as to extend the time period in which exempted businesses may petition the department of revenue to qualify for such exempted status; to provide that the provisions of this amendatory act shall be retroactively effective to July 15, 1990; and to provide certain taxpayer relief concerning such exemption.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 752 - to the Committee on Commerce, Transportation, and
Utilities

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Cosby, Thomas, and Bryant (With Notice and Proof):

H. 1084. Relating to Dallas County; providing for fire protection in certain areas of the county; levying a special fire protection property tax; providing for certain exemption from such tax and for collection of such tax; providing for disposition of funds from such tax to the county fire association and to the volunteer fire departments; providing for expenditure and accounting of such funds; providing for treatment of funds upon dissolution or abandonment of a volunteer fire department; granting immunity from certain liability to the county and providing for a referendum election on the provisions of this act.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1084, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Higginbotham (With Notice and Proof):

H. 1089. Relating to the City of Opelika in Lee County, Alabama; altering and rearranging the boundary lines and corporate limits in the City of Opelika by adding certain parcels of land.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1089, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Carothers, Mathis, and Beasley (With Notice and Proof):

H. 1091. Relating to Houston County; providing further for the compensation of poll workers.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1091, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Hill (With Notice and Proof):

H. 1092. Relating to Shelby County; repealing Act No. 1886, H. 2579, 1971 Regular Session, which provides for an assessment on forest lands for fire protection.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1092, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1084, 1089, 1091, and 1092 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hill and Knight (With Notice and Proof):

H. 1074. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1074, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Hill and Knight (With Notice and Proof):

H. 1075. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1075, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Turnham and Higginbotham (With Notice and Proof):

H. 1078. Relating to Lee County; to authorize the county commission to levy a tax on each ton or cubic yard of rock or other substance quarried in the county; to provide that the proceed shall be expended on the repair or maintenance of roads and bridges.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1078, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Johnson and Haynes (With Notice and Proof):

H. 1079. To authorize the Talladega County Commission acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Talladega County on all taxable property situated within Talladega County, outside the corporate limits of the cities of Talladega and Sylacauga, the special school tax which is authorized in Amendment No. 252 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.50 on each one hundred dollars (15 mills on each dollar) of assessed value.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1079, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1074, 1075, 1078, and 1079 - to the Committee on Local
Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Knight and Hill (With Notice and Proof):

H. 1064. To provide that the Shelby County Commission may provide office space for a Constituency Office to assist the members of the Shelby County Delegation to the Legislature in serving their constituents.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1064, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Hill and Knight (With Notice and Proof):

H. 1068. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Wilsonville, in Shelby County, to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Wilsonville.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1068, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1064 and 1068 - to the Committee on Local Legislation No.

1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 380. To amend Section 2(C)(111) of Act 90-764 of the 1990 Regular Session so as to provide for the retention of inspection and supervision fees to meet the financial responsibilities of the Public Service Commission.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 380 - to the Committee on Economic Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 239. To make a conditional appropriation for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1992.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 239 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 238. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Kate Duncan Smith DAR School for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 238 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 272. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama YMCA Youth and Government and the Cleveland Avenue YMCA for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 272 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 232. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Exploreum Museum of Discovery for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 232 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 242. To make a conditional appropriation for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1992.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 242 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 659. To amend Sections 40-7-1, 40-12-255, 40-12-252, 40-11-1, 40-8-1 and 32-8-2, Code of Alabama 1975, relating to mobile homes, so as to provide for registration and issuance fees for mobile home decals, provide further for ad valorem taxes on the mobile homes, provide for penalties for certain violations, provide for distribution of the fees and provide for certain exemptions from the registration fees.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 659 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 240. To make a conditional appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1992.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 240 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Johnson:

H. 155. To require that the State Board of Pharmacy establish and periodically update a published list of precursor chemicals which are

essential to the manufacture of unlawful controlled substances; to establish an interim list of such chemicals; to enact registration, reporting, and record-keeping requirements for individuals who manufacture, buy, sell, transfer, transport, receive, possess, or otherwise furnish such listed precursor chemicals, under the direction and supervision of the Board of Pharmacy; to make unlawful the possession of listed precursor chemicals with knowledge or intent that the same will be used in the unlawful manufacture of controlled substances; to empower the Board of Pharmacy to adopt reasonable rules and regulations to effect the purposes of the act, and to charge reasonable fees for the registration of listed precursor chemical transactions; and to provide penalties for violation of the act.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 155 - to the Committee on Judiciary/Criminal Justice and
Public Safety

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Knight and Fuller:

H. 88. To create the Catastrophic Trust Fund for Special Education to be administered by the State Department of Education for the purpose of assisting local education agencies in providing special education and related services to children with disabilities in catastrophic cases, and to further provide that unencumbered portions of the funds remain in the Catastrophic Trust Fund for Special Education for future use in such cases.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 88 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Black (M):

H. 672. To amend § 2-25-1, Code of Alabama (1975), which defines plants, plant pests, diseases and other definitions used in Chapter 25 to redefine plant pests and noxious weeds, dealers, plants, commissioner and board; to amend § 2-25-2 by substituting plant pests and noxious weeds instead of insect pests and diseases in defining the purpose of Chapter 25; to amend § 2-25-3 by substituting plant pests and noxious weeds for insect pests and diseases and adding plant pests and other articles capable of harboring plant pests or noxious weeds, and also allowing the commissioner to enter into cooperative agreements with other agencies, which said section defines the duty of the commissioner in protecting the agricultural interests of the state; to amend § 2-25-4, which sets out the duties of the board by substituting plant pests and noxious weeds for insect pests and diseases and deleting its authority to enter into cooperative agreements; to amend § 2-25-6, which sets up fees for obtaining inspection certificates for nurserymen and nurseries by allowing the state board of agriculture and industries to set fees; to repeal § 2-25-7 in its entirety; to amend § 2-25-8, which provides for revocation of inspection certificates; to amend § 2-25-9, which provides for tagging of nursery stock by deleting those provisions that provide for recognizing out of state tags; to amend § 2-25-10 by adding plant pests and noxious weeds to articles prohibited from being introduced into the state; to amend § 2-25-13 by adding that plant products entering the state in violation of this law are contraband; to amend § 2-25-14 by deleting the word agent; to amend § 2-25-15 by substituting the words plant pests and noxious weeds for the words plant disease and insects; to amend § 2-25-16, which prohibits improper destruction of infected plant cuttings, to add the words plant pests and noxious weeds; to repeal § 2-25-17 in its entirety; to provide procedures to be used when nursery stock is found to contain plant pests and noxious weeds; to amend § 2-25-18,

which sets up appeal procedures to be used from an order of the commissioner, to set up requirements for written notice of appeal within 10 days; to repeal § 2-25-19 in its entirety; to make unlawful the sale of nursery stock that is not viable and to define viability in nursery stock; to set up procedures for fumigation or treatment of infested plants; to amend § 2-25-22, which provides penalties for violation of this Chapter by defining misdemeanor and conferring upon the commissioner the powers of a sheriff in enforcing these laws; to provide for issuance of injunctions for violations; to provide that principals are responsible for their agents' acts; to allow the commissioner to call into consultation specialists at Auburn University; to provide that persons shipping plants shall notify the commissioner if there is a violation.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 672 - to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 646. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Commission on Physical Fitness for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 646 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Blakeney and Black (L) (With Notice and Proof):

H. 1093. Relating to Choctaw County; repealing Act No. 83-549, H. 451, 1983 Regular Session, which provides for an assessment on forest lands for fire protection.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1093, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Blakeney and Black (L) (With Notice and Proof):

H. 1098. Relating to Choctaw County; providing that the Sheriff of Choctaw County may establish a canteen for the purpose of selling supplies to prisoners and to provide for the disposition for revenue derived from such sales.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1098, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1093 and 1098 - to the Committee on Local Legislation
No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. McMillan and Penry (With Notice and Proof):

H. 1061. Repealing Act No. 83-545, H. 132 of the 1983 Regular Session (Acts 1983, p. 844) entitled "To authorize the Baldwin County Commission to provide for the protection of forests from fire, insect, disease, beavers, and other pests within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments."

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1061, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Lindsey (With Notice and Proof):

H. 1088. Relating to Cherokee County; providing that the county commission shall have the power to exercise those home rule powers not reserved to the state by the Constitution of Alabama of 1901; providing that the home rule powers authorized for the county commission shall include but not be limited to: the power to levy and collect additional privilege license taxes, excise taxes, gasoline taxes and sales and use taxes; providing that any such tax levied by said county commission shall become law either with or without a referendum in the sole discretion of

said county commission; and providing for the disposition of the proceeds of such taxes.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1088, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1061 and 1088 - to the Committee on Local Legislation
No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Haynes and Johnson (With Notice and Proof):

H. 1063. To authorize the city council of the City of Talladega, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Talladega, on all taxable property situated within the City of Talladega, the special ad valorem tax which is authorized in Amendment No. 13 to the Constitution, to a maximum rate, for any tax year of the city, which is equal to \$2.20 on each one hundred dollars (22 mills on each dollar) of assessed value.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1063, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Newton (C) (With Notice and Proof):

H. 1066. Relating to Crenshaw County, amending Act No. 89-486, H. 865, 1989 Regular Session, which levied a sales and use tax, so as to provide further for the distribution of the proceeds from the tax.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1066, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Harvey (With Notice and Proof):

H. 1067. Relating to Blount County; providing that the county commission shall have the power to levy and collect additional privilege license taxes, excise taxes, gasoline taxes and sales and use taxes; providing that any such tax levied by said county commission shall become law either with or without a referendum in the sole discretion of said county commission; and providing for the disposition of the proceeds of such taxes.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1067, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1063, 1066, and 1067 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 540. To make a conditional appropriation from the State General Fund to the Shoals Entrepreneurial Center, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 540 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 277. To amend Section 40-17-31, Code of Alabama 1975, relating to the gasoline tax, so as to further provide for a certain legislative finding of fact, to provide that two percent (2%) of all state imposed taxes collected on the sale of gasoline (except gasoline and other fuels consumed in airplanes) shall be credited fifty percent (50%) to the state water safety fund and fifty percent (50%) to the seafood fund.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing message from the House, was read one time and referred to appropriate standing committee, as follows:

HB 277 - to the committee on Public Welfare

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Harper:

H. 872. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Helen Keller Eye Research Foundation for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 872 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 455. Relating to Lowndes County; providing further for the compensation of the county coroner and repealing Act No. 620, H. 795, 1967 Regular Session, as amended, and Act No. 515, H. 1135, 1965 Regular Session, as amended.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Bugg and Smith (R):

H. 463. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Bevill Center for Advanced Manufacturing Technology in Gadsden, Alabama, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 463 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Carothers:

H. 653. To establish the Alabama Public Livestock Marketing Business Act; to establish a board to promote the marketing of livestock; and to establish charters for public livestock markets and to fix fees therefor.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing

Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 653 - to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 215. To make a conditional appropriation from the State General Fund to the Civil Air Patrol-Alabama Wing for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 215 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Campbell:

HJR 433. RELATIVE TO MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses adjourn today, Thursday, July 11, 1991, they adjourn to meet

again on Tuesday, July 16, 1991.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 433, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Perdue:

HJR 430. NOTING WITH COMMENDATION THE EAST BIRMINGHAM NEIGHBORHOOD REUNION, SEPTEMBER 5-8, 1991, IN BIRMINGHAM, ALABAMA.

Also:

By Reps. Beasley, Mathis, and Carothers:

HJR 434. COMMENDING MRS. ALVETA HOUSTON HAWK OF DOTHAN, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolutions, HJR's 430 and 434, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Hooper, Clark (J), Gaston, Knight, Zoghby, Turnham, Flowers, Thomas, Parker (T), Campbell, Carter, Hammett, Haynes, Petelos, Starkey, Gaines, Carns, Sanderson, Hawkins, Perdue, Burke, Holladay, Drake, Cosby, Harper, Beasley, Mathis, Layson, Fuller, Gullatt, Box, Morrow, Clay, Poole, Curry, Morton, Hill, Mikell, Kennedy, McKee, Cagle, Hogan, Willis, Newton (C), Crow, Johnson, McMillan, Bowling, and Ford:

H. 604. To provide for the organization of a public corporation to be known as the Alabama International Airport Authority; to provide for the appointment of the members of the authority; to designate the officers and members of the board of directors; to provide that the state treasurer shall be custodian of the funds of the authority; to prescribe the powers of the authority including the power of eminent domain, the power to assess and collect fines, the power to appoint police officers, and the power to issue bonds or notes and to use the proceeds for any of its corporate purposes; to provide that such bonds or notes may be payable from one or more specified sources; to provide for the form of such bonds; to authorize the authority to issue refunding bonds; to provide that bonds issued or contracts entered into by the authority shall not create a debt or obligation of the state or any of its subdivisions unless so provided by amendment to the state constitution; to provide for the publication of notice of any resolution by the authority for the issuance of bonds and specifying a time after such publication in which actions and defenses may be asserted against said bonds; to provide that the authority may accept and expend federal, state, county, municipal, or other moneys made available to it to accomplish its corporate purposes; to provide that no civil action shall be brought or maintained against the authority or any of its directors for the negligence of the authority, its directors, or any of its agents, servants or employees and to provide for exceptions; to provide that any political subdivision, public corporation, or instrumentality of the state may aid and cooperate with the authority; to provide that the bonds of the authority shall be legal investments for the state, all public officers, municipal corporations, political subdivisions, public corporations, public bodies, financial institutions, insurance companies and fiduciaries; to exempt the authority, its bonds, its income and its property from all state, county and municipal taxation; to exempt the authority from all laws from which airport authorities organized pursuant to article 2 of chapter 3 of Title 4, Code of Alabama 1975, are exempt; to provide the authority with zoning powers; to provide conditions on the annexation of the authority's airports, airport facilities, other facilities and properties; to provide for the sale and distribution of alcoholic beverages and the regulation and control thereof within the authority's main airport terminal and to provide to whom the

airport liquor license shall be granted; to provide that authority employees shall participate in the state employees' retirement system; to provide for the disposal of lost money or property found on authority property; to provide for the regulation of parking on authority property; to provide for the dissolution of the authority; and to create a Legislative Oversight Committee.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 604 - to the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Bugg (With Notice and Proof):

H. 1021. Relating to Etowah County; mandating the county personnel board to employ a county purchasing agent and to establish a purchasing system for the county.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1021, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing

Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 1021 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Cosby:

H. 186. To require notice of intended relocation as a condition of any custody or visitation order.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 186 - to the Committee on Public Welfare

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 271. To make a conditional appropriation for the support and maintenance of the Coosa Valley Medical Center School of Nursing for the fiscal year ending September 30, 1992.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 271 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 237. To make a conditional appropriation for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1992.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 237 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 270. To make a conditional appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1992.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 270 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Rogers (J):

H. 188. To create an educational program in this state called the "Telecommunications Based Educational Opportunity Program" to provide grants to local school districts, junior colleges and four-year institutions of higher education and to Alabama Public Television in order to enhance educational opportunities using telecommunications technology; to create a fund for the said program which shall be financed by a sales and use tax on canned computer software; to provide for the administration of the program by the Commission on Telecommunications Based Education; to provide for the creation of said commission, and for its membership, meetings, responsibilities and powers; to provide for the levy, collection and distribution of the said sales and use tax on canned computer software and provide definitions; to amend Sections 40-23-1 and 40-23-60, Code of Alabama 1975, for such purposes; to provide for the video educational programs and grants awarded pursuant to this act; and to authorize other instructional programs on a contract basis, including state employee training programs.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 188 - to the Committee on Commerce, Transportation, and Utilities

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Mathis:

H. 638. To establish the Forty-first Judicial Circuit, composed of Geneva County; to provide that the Thirty-third Judicial Circuit shall continue, composed of Dale County; to create the offices of a circuit judgeship and a district attorney for the Forty-first Judicial Circuit; to provide for the election of a circuit judge and a district attorney to fill such offices; and to provide effective dates.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 638 - to the Committee on Judiciary/Civil

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Parker (P) and Parker (T):

H. 580. Relating to state officers and employees; to authorize

the state comptroller with the approval of the chief examiner of public accounts to establish procedures for the prepayment of travel expenses.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 580 - to the Committee on Governmental Affairs/State Administration

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 224. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 224 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 208. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 208 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Freeman and Harper:

H. 439. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Constitution Hall Village at Huntsville for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 439 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper:

H. 870. To appropriate from the agricultural fund for the fiscal year ending September 30, 1991 the sum of \$250,000 for use by the Department of Agriculture and Industries.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 870 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Curry (With Notice and Proof):

H. 651. To approve and authorize the County Commission of Jefferson County, Alabama to increase the rate at which ad valorem taxes are levied in the Jefferson County School District for public school purposes in the District, pursuant to the election in said District held on February 11, 1969, under the Jefferson County Consolidation School Tax Amendment of the Alabama Constitution (Amendment No. 82), adjusted in accordance with Amendment Nos. 325 and 373 to the Alabama Constitution, or pursuant to such elections as may subsequently be held under the Jefferson County Consolidation School Tax Amendment (Amendment No. 82), adjusted in accordance with

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Amendment Nos. 325 and 373 to the Alabama Constitution, to approve, renew, or extend said tax levy, from \$.88 to \$2.28 on each \$100 of taxable property in the Jefferson County School District (consisting of all areas of Jefferson County outside of the municipalities of Birmingham, Bessemer, Fairfield, Mountain Brook, Homewood, Vestavia Hills, Tarrant City, Midfield and Hoover), the proceeds of said tax to be used for public school purposes in said School District, subject, however, to the approval of the qualified electors residing in the Jefferson County School District who vote on the proposal at a special election.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 651, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 651 - to the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 253. To make a conditional appropriation from the State General Fund to the Alabama Travel Council for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 253 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 229. To make supplemental appropriations to the Alabama Department of Economic and Community Affairs in the amount of One million one hundred forty-four thousand dollars (\$1,144,000) for the fiscal year ending September 30, 1991.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 229 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Freeman and Harper:

H. 110. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Space Science Exhibit Commission for the fiscal year 1991-92 and to require an operations

plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 110 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 235. To make a conditional appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 235 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 247. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Children's and Women's Hospital in Mobile, Alabama, for the fiscal year 1991-92, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 247 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Mikell:

H. 372. To provide a statutory basis for the recovery of unclaimed property from out-of-state holders when such holders did not originate the unclaimed property and are merely intermediaries, and to clarify that the address of the unclaimed property holder is unknown, and to provide that subsection (a) shall apply to all property held at the time of enactment, or at any time thereafter, regardless of when such property became or becomes presumptively abandoned.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing

Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 372 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 241. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama Humanities Foundation for the fiscal year ending September 30, 1992 and to require an audited financial statement and operations plan prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 241 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Buskey (JL), Knight, McClain, Freeman, Barnes, McDowell, Spratt, Grayson, Escott-Russell, Curry, Hooper, Bugg, Butler, Kvalheim, Carothers, Haynes, Mathis, and Fuller:

H. 700. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the AIDS Task Force of Alabama, Inc., for the fiscal year beginning October 1, 1991, for programs to help prevent the spread of AIDS; to require an operations plan and

audited financial statement.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 700 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Turnham, Fuller, and Flowers:

H. 180. Relating to persons who are required to register with the U. S. Selective Service System, so as to provide that such persons may not enroll in institutions of higher learning nor be offered employment or advancement or promotion by the State of Alabama unless such persons offer proof that they have so registered, and to authorize the State Personnel Board and the institutions of higher learning to promulgate necessary rules and regulations.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 180 - to the Committee on Governmental Affairs/State Administration

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Harper, Payne, Black (M), Hammett, Curry, Buskey (JE), Clark (W), Biddle, Starkey, Freeman, Hall, Holmes, Morton, Carns, Hamilton, Haney, Sanderson, Hill, Poole, and Harvey:

H. 416. To amend §40-23-2, Code of Alabama, 1975, relating to taxes levied on certain gross receipts, so as to provide that athletic events conducted by a primary or secondary public school shall be exempted from said tax and to provide that said funds shall continue to be collected and shall be retained by the collecting school.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 416 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Parker (P) and Parker (T):

H. 579. To authorize the several state departments and agencies to prepay to officers and employees necessary travel expenses for authorized official state business; to provide that such payments shall be made in accordance with rules and regulations promulgated by the state comptroller with the approval of the chief examiner of public accounts; to provide for certain limitations and the annual audit of the expenditure of funds used in accordance with the provisions of this Act.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 579 - to the Committee on Governmental Affairs/State Administration

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Payne:

H. 128. To require persons engaged in the business of purchasing and receiving or collecting waste grease and animal by-products for rendering or recycling from businesses located in various cities of the state to pay a license tax in each such city; and to provide the rate of such license tax.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 128 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Haney:

H. 691. To propose that those responsible for criminal activity may, when they have the financial ability to do so, be required by the court to make payments to a local crime stoppers program to help pay for crime stoppers' rewards.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 691 - to the Committee on Judiciary/Criminal Justice and Public Safety

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Williams, Hall, Newman, Letson, Haynes, Smith (C), Millican, Poole, Payne, Biddle, Morton, Hill, Knight, Morrow, McKee, Burke, Rich, Holley, McDowell, Sanderson, Gaines, Buskey (JL), Black (M), and Rogers (F):

H. 694. To create a "pilot project" for the Secretary of State to establish specifications for a uniform system of electronic voting and for the electronic transfer of election totals from counties to the Secretary of State's office.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 694 - to the Committee on Judiciary/Criminal Justice and Public Safety

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Buskey (JL):

H. 489. To amend Section 34-12-8, Code of Alabama 1975, which relates to licensing of foresters, so as to provide further for the renewals of said licenses.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 489 - to the Committee on Agriculture, Conservation, and Forestry

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hooper, Clark (J), Gaston, and Johnson:

H. 510. To amend Section 2-6A-1 by changing commission to department of agriculture and industries; to repeal Sections 2-6A-2, 2-6A-3, 2-6A-4, 2-6A-5 and 2-6A-6 which set up a farm crisis and transition commission and its operation; to set up a farm crisis and transition program under the department of agriculture and industries and to give the commissioner of agriculture and industries the power to employ staff and to conduct the program; to allow the adoption of regulations; to provide for the transfer of all personnel, equipment and files from the farm crisis and transition commission into the department of agriculture and industries; to allow the commissioner of agriculture and industries to accept contributions from any public or private source.

Also:

By Rep. Mathis:

H. 778. To amend Act No. 90-650, S. 62, 1990 Regular Session, which establishes the Economic Development Revolving Loan

Funds, so as to provide further for the compensation of the members of the committee and to provide that appropriations made pursuant to the act shall not revert into the general fund at the end of the fiscal year.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

HB 510 - to the Committee on Agriculture, Conservation, and Forestry

HB 778 - to the Committee on Economic Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Kvalheim, Gaston, Harper, Zoghby, Rockhold, Turner, Buskey (JE), Warren, Kennedy, Clark (W), White, Laird, Turnham, Flowers, Holley, Penry, McMillan, Dolbare, Buskey (JL), Ford, Willis, Crow, Hogan, McKee, Curry, Cagle, Walker, Blakeney, Hooper, Parker (P), Parker (T), Knight, Hill, Sanderford, Sanderson, Gaines, McDowell, Bugg, Harvey, Hammett, Cosby, Poole, Newton (C), Hawkins, Carns, Bowling, Burke, Beasley, Mathis, Johnson, and Carothers:

H. 185. To make a supplemental appropriation from the general fund of the state treasury, for the current fiscal year, to the U.S.S. Alabama Battleship Commission if the U.S.S. Lexington is acquired by the commission.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing

Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 185 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Biddle, Carns, and Payne:

H. 167. To require the State Department of Education of Alabama to implement into its public health education program for required use in public school systems instruction which emphasizes sexual restraint and the dangers and harm of using illegal drugs. To declare the findings and purpose of the Alabama Legislature regarding specific health problems of school children. To state the minimum requirements of the contents to be required in such public health education program. To establish standards of conduct which prohibit illegal drug use for employees and children within the schools.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 167 - to the Committee on Education

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hogan and Cagle (With Notice and Proof):

H. 1019. Relating to supernumerary district attorneys of the

fourteenth (14th) judicial circuit; to provide a salary supplement equal to the salary supplement paid to supernumerary district attorneys of the tenth (10th) judicial circuit.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1019, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Holladay (With Notice and Proof):

H. 1045. To alter, rearrange and extend the boundaries and corporate limits of the municipality of Riverside, St. Clair County, Alabama, so as to annex certain territory to the municipality.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1045, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Holladay (With Notice and Proof):

H. 1046. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1046, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Hogan (With Notice and Proof):

H. 1052. Relating to Walker County; providing further for the compensation of the members of the board of registrars.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1052, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Morrow (With Notice and Proof):

H. 1057. Pertaining to Franklin County only; to permit a referendum of the voters regarding a temporary one cent sales tax for the benefit of the public schools so as to continue to ensure students with an uninterrupted quality instructional program, and to avoid further damage to public education due to proration; also, to set an ending date of temporary sales tax, division of proceeds, reinstatement of personnel; to void this proposed sales tax if state revenues become available; and to provide for and establish a date for a referendum.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1057, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Haynes and Johnson (With Notice and Proof):

H. 1062. Relating to Talladega County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county commission to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, bridges and ferries of Talladega County; providing for an effective date.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1062, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

*GREG PAPPAS,
Clerk.*

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 1019, 1045, 1046, 1052, 1057, and 1062 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 59. Relating to DeKalb County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes and the issuance of certain licenses under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official and providing for a referendum.

Also:

S. 61. Relating to DeKalb County; imposing an additional delinquent payment penalty for late payment of the county portion of ad valorem taxes and providing that the proceeds from such additional penalty shall be deposited to the credit of the DeKalb County Rural Water Authority.

Also:

S. 295. Relating to Etowah County, authorizing the county governing body to reimburse the tax assessor, tax collector, probate judge and revenue commissioner for losses incurred from certain worthless checks and other instruments; to require said officials insure their employees exercise due care and attempt to collect all funds due; and to provide retroactive effect.

Also:

S. 484. Relating to Fayette County, repealing Act No. 673, H. 1882, 1973 Regular Session, and Act No. 465, H. 885, 1978 Regular Session, relating to the expense allowance of the county superintendent of education.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Burke, Lindsey, and McDaniel (With Notice and Proof):

H. 961. Relating to DeKalb County; providing that the county commission or other like governing body of such county shall have the power to levy and collect additional privilege license taxes, gasoline taxes, sales and use taxes and other taxes and/or fees; providing that any such tax levied by said governing body shall become law either with or without a referendum in the sole discretion of said governing body; providing for the disposition of the proceeds of such taxes; and repealing conflicting laws.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 961, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 961 - to the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Holmes (With Notice and Proof):

H. 993. Relating to Montgomery County; creating and establishing its own personnel merit system; providing for personnel rules, principles and organization; establishing an appeals board and its membership; providing for classes of employment.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 993, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Hogan and Cagle (With Notice and Proof):

H. 1018. Relating to Walker County and the 14th Judicial Circuit, to levy certain additional costs and charges of court, to provide said costs and charges shall be placed in a special hazardous duty pay fund, to provide hazardous duty pay for certain deputy sheriffs and jailers, to authorize the county commission to increase the amount of hazardous duty payments, and to provide for implementation of this act.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1018, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Reps. Hogan and Cagle (With Notice and Proof):

H. 1025. Relating to Walker County; to require the installation and maintenance of an improved system of indexing, recording and

re-creation of documents and plat system title to property and other documents recorded in the office of the judge of probate; to provide the collection and disposition of a special indexing and recording fee; to provide for the collection of additional probate court cost fees; and to provide that said system shall constitute official and permanent records in Walker County.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1025, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Lindsey (With Notice and Proof):

H. 1053. To authorize the Cleburne County commission to adopt, amend and provide for the enforcement of certain building codes which shall apply in certain areas in said county; to prescribe the manner of adopting such codes; to authorize said commission to enforce such codes; to authorize the prescription and collection of certain fees necessary to effect the enforcement of such codes; and to prescribe penalties for violation of such codes.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1053, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

Also:

By Rep. Lindsey (With Notice and Proof):

H. 1054. Relating to Cherokee County, to alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

I HEREBY CERTIFY THAT THE NOTICE AND PROOF IS ATTACHED TO THE BILL, HB 1054, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

GREG PAPPAS,
Clerk.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

HB's 993, 1018, 1025, 1053, and 1054 - to the Committee on
Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Holley, Harper, Layson, Drake, Butler, Richardson, Smith (R), Biddle, Rich, McKee, McMillan, Knight, Hill, Payne, Morton, Poole, Turner, Petelos, Gaines, Sanderson, Haney, Hall, Cullins, White, Willis, Mikell, Carothers, Laird, Hammett, Flowers, Williams, Kennedy, Clark (W), Mathis, Starkey, Carns, Sanderford, McDaniel, Hamilton, Cosby, Blakeney, Powell, Harvey, Venable, Penry, Hooper, Crow, Beasley, Newton (C), Melton, Lindsey, Goodwin, Turnham, Letson, Bowling, Haynes, Warren, Johnson, Dolbare, Bryant, Black (L), Cagle, Parker (T), Kvalheim, Gaston, Rockhold, Higginbotham, Gullatt, Hogan, Curry, Ford, Morrow, Millican, Spratt, Newman, Escott-Russell, McClain, Zoghby, Burke, Hawkins, Parker (P), Freeman, Clay, and Rogers (F):

H. 548. To amend Act No. 90-764 passed in the 1990 Regular Session which makes appropriations for ordinary expenses of the executive, legislative and judicial departments of the State by increasing the appropriation from the "Earmarked Funds" to the Department of Revenue and providing for a transfer of funds from the Department of Revenue to the Departmental Emergency Fund for the fiscal year ending September 30, 1991.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 548 - to the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Harper:

H. 644. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama Sports Festival in Montgomery for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 644 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Campbell:

HJR 43. SUSTAINING THE DISAPPROVAL BY THE JOINT

COMMITTEE ON ADMINISTRATIVE REGULATION REVIEW OF
THE ALABAMA STATE BOARD OF PHARMACY'S PROPOSED
NEW RULE 680-X-2-.22, CODE OF PROFESSIONAL CONDUCT.

WHEREAS, on December 18, 1989, the Alabama State Board of Pharmacy filed "Notice of Intended Action" of a proposed new rule 680-X-2-.22, Code of Professional Conduct, a copy of which is attached hereto and made a part hereof. The notice appeared on page 60 of the December 29, 1989 Alabama Administrative Monthly and was the subject of review at the February 21, 1990 meeting of the Joint Committee on Administrative Regulation Review; and

WHEREAS, after hearing from interested persons, the Joint Committee, in accordance with Section 41-22-23(d), Code of Alabama 1975, approved the Alabama State Board of Pharmacy's request of withdrawal of said proposed rule; and

WHEREAS, on May 30, 1990, the Alabama State Board of Pharmacy, pursuant to Section 41-22-23(d), Code of Alabama 1975, returned said proposed rule with modifications, and said modified rule was the subject of review at the July 17, 1990 meeting of the Joint Committee on Administrative Regulation Review; and

WHEREAS, after hearing from interested persons, the Joint Committee, in accordance with Section 41-22-23(b), Code of Alabama 1975, disapproved the modified rule; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the disapproval of the said Alabama State Board of Pharmacy's proposed modified rule 680-X-2-.22, Code of Professional Conduct, by the Joint Committee on Administrative Regulation Review, is hereby sustained.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 43, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Carter:

HJR 441. RELATIVE TO MEETING DAYS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses adjourn today, Tuesday, July 16, 1991, they adjourn to meet again on Wednesday, July 17, 1991; that when they adjourn on Wednesday, July 17, 1991, they adjourn to meet again on Thursday, July 18, 1991; that when they adjourn on Thursday, July 18, 1991, they adjourn to meet again on Monday, July 29, 1991; and when they adjourn on Monday, July 29, 1991, they adjourn sine die.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 441, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Layson:

HJR 187. EXTENDING THE COST AND EXPENSE ALLOWANCE FOR THE LEGISLATIVE FORESTRY STUDY COMMITTEE.

WHEREAS, the Legislative Forestry Study Committee, established by the Alabama Legislature, has had many meetings, hearings and its members have conducted an exhaustive study into every facet of Alabama's forestry program; and

WHEREAS, it is in the best interest of the Alabama Legislature to have this committee do additional studies and research into the area of its responsibilities; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that there is hereby allocated an additional sum sufficient to cover the costs and expense

allowances authorized for the committee, not to exceed \$10,000, which shall be paid from any funds appropriated for the use of the Legislature.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 187, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

SJR 121. DECLARING THE LEGISLATIVE INTENT REGARDING THE PASSAGE OF ACT NO. 90-560.

Also:

SJR 22. CREATING A COMMITTEE TO STUDY AND PROVIDE FOR THE ERECTION OF A VIETNAM VETERANS MONUMENT ON THE STATE CAPITOL GROUNDS.

Also:

SJR 110. FORBIDDING THE STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES FROM POSTING "NO SKIING" SIGNS ON FOWL RIVER IN MOBILE COUNTY.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Payne, Poole, Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke,

Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Kennedy, Knight, Kvalheim, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, McMillan, Melton, Mikell, Millican, Morrow, Morton, Newman, Newton (C), Newton (D), Parker (P), Parker (T), Penry, Perdue, Petelos, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J), Sanderford, Sanderson, Smith (C), Smith (R), Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White, Williams, Willis, and Zoghby:

HJR 447. WISHING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, JIMMY CLARK, A SPEEDY RECOVERY.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 447, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Freeman, Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (J), Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Kennedy, Knight, Kvalheim, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, McMillan, Melton, Mikell, Millican, Morrow, Morton, Newman,

Newton (C), Newton (D), Parker (P), Parker (T), Payne, Penry, Perdue, Petelos, Poole, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J), Sanderford, Sanderson, Smith (C), Smith (R), Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White, Williams, Willis, and Zoghby:

HJR 443. COMMENDING BERNARD M. LEVINE FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE TO THE UNIVERSITY OF ALABAMA IN HUNTSVILLE.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 443, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Clark (W) and Kennedy:

HJR 439. HONORING MRS. EMMA BLAKELY THOMAS.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 439, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. McMillan, Penry, Kvalheim, Gaston, Anderson, Barnes,

Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (J), Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Kennedy, Knight, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, Melton, Mikell, Millican, Morrow, Morton, Newman, Newton (C), Newton (D), Parker (P), Parker (T), Payne, Perdue, Petelos, Poole, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J), Sanderford, Sanderson, Smith (C), Smith (R), Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White, Williams, Willis, and Zoghby:

HJR 404. PROCLAIMING 1992 AS THE YEAR OF THE GULF AND ENDORSING THE COOPERATIVE EFFORTS OF THE GULF OF MEXICO PROGRAM TO SOLVE THE ENVIRONMENTAL PROBLEMS OF THE GULF OF MEXICO.

WHEREAS, the United States encloses the Gulf of Mexico on three sides, and two-thirds of the area of the continental United States drains into the Gulf of Mexico; and

WHEREAS, the Gulf of Mexico yields close to twice the amount of shrimp as the rest of the United States, and accounts for over 20% of the nation's total commercial fish yield; and

WHEREAS, the estuaries, wetlands and barrier islands provide critical habitat for large populations of finfish, shellfish, waterfowl, shorebirds and colonial nesting birds; and

WHEREAS, the Gulf of Mexico provides critical habitat for 75% of the migratory waterfowl traversing the United States; and

WHEREAS, 90% of domestic offshore production of oil and gas is from the Gulf of Mexico, and almost half of United States shipping tonnage passes through Gulf of Mexico ports; and

WHEREAS, the Gulf of Mexico is a national treasure deserving of our best stewardship; and

WHEREAS, there are serious long-term environmental problems appearing throughout the marine ecosystem of the Gulf; and

WHEREAS, over 3,000 square miles of bottom waters with excessively low levels of oxygen, known as the "dead zone," have been identified off the Louisiana and Texas coast; and

WHEREAS, concerns over health have resulted in the permanent or conditional closure of 57% of the shellfish growing areas along the Gulf Coast; and

WHEREAS, in 1988, a Gulf of Mexico Program was created as an intergovernmental program under the leadership of the U. S. Environmental Protection Agency; and

WHEREAS, the purpose of this program is to provide a regional perspective to address the complex and interrelated problems of the Gulf; and

WHEREAS, it is in our best interest that federal agencies and the Gulf States closely coordinate and integrate their efforts; and

WHEREAS, this joint effort will provide a mechanism for addressing the problems that cross state, federal, international and jurisdictional lines; and

WHEREAS, this joint mission will identify innovative state and local ventures in the Gulf; and

WHEREAS, the Gulf of Mexico Program has designated 1992 as "The Year of the Gulf" to expand public awareness and knowledge and promote a sense of stewardship; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby proclaim 1992 as "The Year of the Gulf" in the State of Alabama, and do further endorse the cooperative efforts of the participants in the Gulf of Mexico Program in solving the environmental problems of the Gulf of Mexico.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 404, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. McMillan, Penry, Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (J), Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Kennedy, Knight, Kvalheim, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, Melton, Mikell, Millican, Morrow, Morton, Newman, Newton (C), Newton (D), Parker (P), Parker (T), Payne, Perdue, Petelos, Poole, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J), Sanderford, Sanderson, Smith (C), Smith (R), Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White, Williams, Willis, and Zoghby:

HJR 403. COMMENDING SUSAN MADDOX COSBY FOR OUTSTANDING SERVICE TO THE GOVERNOR'S OFFICE AND WISHING HER EVERY FUTURE CAREER SUCCESS.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 403, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Smith (C) and Powell:

HJR 405. COMMENDING THE MAPLESVILLE HIGH SCHOOL ATHLETIC PROGRAM AND THE OUTSTANDING ACCOMPLISHMENTS OF ITS TEAMS, 1984-1991.

Also:

By Rep. Turner:

HJR 408. COMMENDING THE ACADEMIC COMPETITION TEAMS AT BAKER HIGH SCHOOL, MOBILE, ALABAMA.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolutions, HJR's 405 and 408, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Carothers:

HJR 400. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE ON ENACTING LEGISLATION CONCERNING THE DISCHARGE OF SEWAGE, LITTER OR GARBAGE INTO THE PUBLIC WATERS OF THIS STATE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the enactment of legislation concerning the discharge of sewage, litter or garbage into the public waters of this state. The committee shall be composed of 14 members as follows: the commissioner of the Department of Conservation and Natural Resources or his designee; a staff assistant to the state health officer; the chief of the Water Division of the Alabama Department of Environmental Management; a representative of the

Alabama Marine Dealers Association; one member, to be appointed by the other committee members, who shall represent owners of pleasure boats which have toilet facilities; one member, to be appointed by the other committee members, who shall represent owners of pleasure boats which do not have toilet facilities; one member, to be appointed by the other committee members, who shall represent owners of fishing or working boats; three members of the House of Representatives Health Committee to be appointed by the chairman of said health committee, the sponsor of House Bill 625 of the 1991 Regular Session; and three members of the Senate Health Committee to be appointed by the chairman of said health committee. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of enacting legislation that would prohibit the discharge of sewage, litter or garbage into the public waters of this state, require marine sanitation devices on certain watercraft and to provide for a fee on the devices, create the Boat and Marina Fund and an authority to administer it, require that marina sanitary facilities must be approved by the State Board of Health, and provide for registration fees on watercraft.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the 10th legislative day of the 1992 Regular Session. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. Non-legislative members shall receive their actual expenses for attendance of meetings.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 400, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Williams:

HJR 397. NAMING THE NEW BRIDGE OVER CHOCTAW-HATCHEE RIVER ON THE BEE LINE HIGHWAY IN DALE COUNTY, ALABAMA, IN HONOR OF THE LATE JUDGE LEWE FRANK SESSIONS.

Also:

By Reps. Williams and Mathis:

HJR 398. NAMING THE "ANDREW JACKSON HARDEN BRIDGE," ON HIGHWAY 84 OVER THE LITTLE CHOC-TAWHATCHEE RIVER AT THE DALE/HOUSTON COUNTY LINE.

Also:

By Reps. Barnes, Newton (D), Escott-Russell, and Perdue:

HJR 402. COMMENDING THE MEMBERS OF THE BIRMINGHAM CITY COUNCIL AND THE HONORABLE RICHARD ARRINGTON, MAYOR.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolutions, HJR's 397, 398, and 402, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Clark (J), Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Kennedy, Knight, Kvalheim, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, McMillan, Melton, Mikell, Millican, Morrow, Morton, Newman, Newton (C), Newton (D), Parker (P), Parker (T), Payne, Penry, Perdue, Petelos, Poole, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J), Sanderford, Sanderson, Smith (C), Smith (R), Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White, Williams, Willis, and Zoghby:

HJR 410. COMMENDING DOT HARDIN FOR DISTINGUISHED SERVICE TO THE LEGISLATURE AND THE STATE OF ALABAMA.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 410, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Holley:

HJR 382. COMMENDING CHARLES WAYNE ROBERTS OF COFFEE COUNTY, ALABAMA FOR 20 YEARS OF DEDICATED SERVICE TO THE ALABAMA FORESTRY COMMISSION

Also:

By Rep. Morrow:

HJR 384. DESIGNATING THE MONTH OF OCTOBER 1991, AND EACH OCTOBER ANNUALLY THEREAFTER, AS "AVIATION HISTORY MONTH" IN THE STATE OF ALABAMA.

Also:

By Rep. Black (L):

HJR 388. HONORING THE MEMBERS OF THE LIVINGSTON NATIONAL GUARD 638TH ORDNANCE COMPANY.

Also:

By Rep. Black (L):

HJR 389. HONORING THE MEMBERS OF THE UNITED STATES ARMY RESERVE 287TH TRANSPORTATION COMPANY, LIVINGSTON, ALABAMA.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolutions, HJR's 382, 384, 388, and 389, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Black (L):

HJR 390. HONORING THE MEMBERS OF THE UNITED STATES ARMY RESERVE HHD, 324TH PERSONNEL AND ADMINISTRATION BATTALION, LIVINGSTON, ALABAMA.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 390, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Powell, Mikell, McKee, Hooper, Buskey (JL), Mathis, Holley, Smith (C), Parker (T), Turner, Warren, Box, Venable, Johnson, Flowers, and Lindsey:

HJR 386. REQUESTING THE HIGHWAY DEPARTMENT TO PLACE SIGNS ON INTERSTATES DIRECTING ACCESS TO STATE FARMERS' MARKET.

WHEREAS, The Montgomery State Farmers' Market is the first state-owned and state-operated Farmers' Market in the state of Alabama; and

WHEREAS, the many farmers and consumers wishing to sell and purchase produce at said Market have, in the past, had trouble finding the Market; and

WHEREAS, the Montgomery State Farmers' Market is actually strategically located with access to both interstates, I-65 and I-85, but without directional signs, many farmers and consumers spend extra time in locating said Market; and

WHEREAS, directional signs at strategic locations on said interstates, would be of great assistance for those persons wanting to utilize the Market.

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that the State Highway Department take any and all necessary steps to ensure that the appropriate exits on Interstates I-65 and I-85 most available to the Montgomery State Farmers' Market, be plainly marked so that travelers will know how to find said Market.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The Resolution, HJR 386, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

S. 3. Relating to Shelby County; to provide an additional county salary to the probate judge for the remainder of the current term of office, which ends in January 1995, for loss of compensation as a result of being relieved of his duties as chairman of the Shelby County commission by a United States federal court order and relinquish use of automobile and expense account now receiving.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

On motion of Senator Ellis, the Senate non-concurred in the following House amendment to the Bill, SB 3, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR SB 3

**A B I L L
T O B E E N T I T L E D
A N A C T**

Relating to Shelby County; to provide an additional county salary to the probate judge for the remainder of the current term of office, which ends in January 1995, for loss of compensation as a result of being relieved of his duties as chairman of the Shelby County commission by a United States federal court order.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Since the probate judge of Shelby County has been relieved of his duties and compensation as chairman of the county commission by a United States federal court order on May 23, 1990, he

shall receive for the remainder of his term of office an additional annual salary of \$15,500.00, payable in equal monthly installments from the county general fund. By accepting this additional salary, he will relinquish, and not continue to receive, an expense allowance as provided for in Act No. 83-777, S. 562, 1983 Regular Session, which act provides for creating a license-issuing division within the probate judge's office in order to set up a one-stop tag purchase within Shelby County. Any compensation provided for in this act shall terminate at the expiration of the current term of office of the probate judge.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective on the first day of the month immediately following its passage and approval by the Governor, or upon its otherwise becoming a law.

and requested a Committee on Conference.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bennett, Bolling, Campbell, Corbett, Ellis, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Senators Hale, Ellis, and Dixon.

RESOLUTIONS

Senator Windom offered the following Senate Joint Resolution, to-wit:

SJR 146. URGING CONGRESS TO MAINTAIN THE DUAL BANKING SYSTEM AND TO PRESERVE STATES' RIGHTS IN ANY BANKING REFORM LEGISLATION.

WHEREAS, the Alabama Legislature recognizes the major challenges facing the nation's banking industry; and

WHEREAS, the United States 102nd Congress is currently

addressing the most far-reaching and comprehensive banking reform measures in history; and

WHEREAS, certain provisions of the banking overhaul bills under consideration in the U. S. Congress greatly endanger states' rights with respect to state-chartered banks, state regulation, and state bank powers; and

WHEREAS, Alabama's 166 state-chartered banks comprise more than three quarters of our state's total banks; and

WHEREAS, the Alabama Legislature strongly maintains that preserving the dual banking system is essential to the state's economic strength; and

WHEREAS, the Alabama Legislature strongly supports the state's right to "opt in" or "opt out" with respect to interstate branching; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join the Alabama Bankers Association in urging the U. S. Congress to maintain the dual banking system and preserve states' rights in any banking reform legislation of this 102nd Congress.

BE IT FURTHER RESOLVED, That copies of this resolution be delivered to members of Alabama's Congressional delegation, thereby underscoring the urgency of this matter.

On motion of Senator Windom, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Langford offered the following Senate Joint Resolution, to-wit:

SJR 147. TO PROVIDE FOR DIRECTIONAL SIGNS FOR THE MONTGOMERY STATE FARMERS MARKET.

WHEREAS, the Montgomery State Farmers Market provides a unique economic opportunity for Alabama farmers to market produce and crops, and

WHEREAS, the Montgomery State Farmers Market is centrally, geographically located in the State of Alabama; and

WHEREAS, the Montgomery State Farmers Market attracts both

buyers and sellers from outside the county in which it is located, and

WHEREAS, conspicuously located directional signs will facilitate the locating of the Montgomery State Farmers Market by vendors, tourists, consumers, visitors, and others; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby direct the Alabama Highway Department to have made and to erect four (4) directional signs, U.S. Department of Transportation prescribed dimensions, in conspicuous locations on I-65 at the Northern Bypass, and I-85 at the Eastern Bypass to assist in locating the Montgomery State Farmers Market.

BE IT FURTHER RESOLVED, That the size and locations of said signs be coordinated with the Commissioner of the Alabama Department of Agriculture and Industries; the chair of the House Standing Committee on Agriculture, Forestry and Natural Resources and the chair of the Senate Standing Committee on Agriculture, Conservation and Forestry.

On motion of Senator Langford, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Ellis, Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dial, Dixon, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom offered the following Senate Joint Resolution, to-wit:

SJR 148. COMMENDING THE HONORABLE HUGH EDWIN HOLLADAY, PRESIDING CIRCUIT JUDGE THIRTEENTH JUDICIAL CIRCUIT, ON THE OCCASION OF HIS JUDICIAL RETIREMENT.

WHEREAS, in highest honor and esteem, the Alabama Legislature notes the invaluable service rendered by Judge Hugh Edwin Holladay to his nation, state and community; and

WHEREAS, Hugh Edwin Holladay was born in Ashville, Alabama, to Roy H. Holladay and Mary Jenkins Holladay in 1923, and he is the father of our distinguished colleague Representative Hugh Holladay of the 42nd House District; and

WHEREAS, he was graduated from the School of Commerce of

the University of Alabama, Tuscaloosa, Alabama, and received his LL.B. Degree from the University of Alabama, School of Law; and

WHEREAS, Judge Holladay served his country as a pilot in World War II from 1943 to 1946 with courage and heroism in the U. S. Army Air Corps; he was a prisoner of War and won the Purple Heart, a medal of valor and he was honorably discharged as a First Lieutenant; and

WHEREAS, he further exhibited his business acumen in establishing two banks in Pell City, Alabama, and he was elected a member of the Alabama House of Representatives for the 1963-67 term and reelected to the 1967-71 term where he served on the Judiciary, Local Government and Conservation House committees; and

WHEREAS, Judge Hugh Edwin Holladay has served as a distinguished jurist and Circuit Judge of the 30th Judicial Circuit since 1973 and has served as the presiding judge of that circuit; and

WHEREAS, Judge Holladay has used impeccable credentials, public service and community involvement to enrich the lives of others and for the better of his community, state and nation; and

WHEREAS, Judge Hugh Edwin Holladay recently has retired from judicial service; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding professional achievement and public service to his nation, state and community, we most highly commend our former colleague Judge Hugh Edwin Holladay, whom we hold in warmest personal regard and to whom a copy of this resolution shall be presented.

BE IT FURTHER RESOLVED, That we sincerely wish Judge Holladay our best wishes in all his future endeavors during his well earned retirement.

On motion of Senator Ellis, the Rules were suspended and the Resolution was adopted by the Senate.

BILL RE-REFERRED

Senator Denton, Chairperson of the Standing Committee on Governmental Affairs/Local Government, reported that said committee, in session, had acted on the following Bill, SB 700, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, SB 700, re-referred to the Standing Committee on Local Legislation No. 1

FURTHER CONSIDERATION OF HB 551

The Senate proceeded to consideration of the Bill, HB 551. The question was on the Windom substitute motion to non-accede to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, HB 551.

On motion of Senator deGraffenried, said motion was laid on the table.

The question recurred on the motion of Senator deGraffenried, which motion was adopted, and the Senate acceded to the request of the House for a Committee on Conference, on the disagreement of the two Houses on the Senate amendment to the Bill, HB 551.

Yeas 17 Nays 12

Yeas:

Senators:

Bedsole, Bennett, Bolling, deGraffenried, Denton, Ellis, Foshee, Ghee, Hale, Horn, Lindsey, Lipscomb, Mitchell, Owens, Preuit, Smith (B), and Waggoner -17

Nays:

Senators:

Amari, Bailey, Campbell, Corbett, Dixon, Floyd, Hilliard, Langford, Parsons, Smith (J), Wilson, and Windom -12

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Senators Foshee, deGraffenried, and Denton.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate Amendment to the Bill:

H. 550. Relating to Alabama Economic and Developmental Highways and the financing of an Alabama Economic and Developmental

Highway System; to name this Act; to provide definition of certain words and terms contained in this bill; to create a fund in the State Treasury which shall be called the Alabama Economic and Developmental Highway Trust Fund; to describe the Alabama Economic and Developmental Highway System and its purpose; to describe the sources of revenue for this fund; to provide the distribution and appropriation of revenues for the Alabama Economic and Developmental Highway System, County Roads, Urban Projects, and to pay Debt Service on outstanding Industrial Access Road and Bridge Corporation Bonds; to provide that if Alabama Economic and Developmental Highway System projects are constructed with Federal and/or Public Road and Bridge Funds, projects not on the Alabama Economic and Developmental Highway System may be constructed using Alabama Economic and Developmental Highway System Funds; to provide that Alabama Economic and Developmental Highway System funds may be used to supplement toll projects; to provide that Alabama Economic and Developmental Highway System Funds may be used to anticipate Federal Funds on Advance Construction Projects; to provide that appropriations for the Alabama Economic and Developmental Highway System Projects, County Roads, and Urban Projects are Capital Outlay appropriations; to provide a deficit elimination procedure; to describe the purpose for which the funds can be used; to give county commissions in the state authority to pass resolutions to levy a gasoline tax with a three year authorization limit; to describe fund reversion procedures; to give the Highway Department authority to administer this fund; to give the Highway Director authority to promulgate rules and regulations concerning the operation of this fund; to provide for a quarterly report to the Joint Highway Committee; to give the Highway Department responsibility for developing schedules of improvements to be funded; to provide for allocation and appropriation of funds allocated for the Alabama Economic and Developmental Highway System when all Alabama Economic and Developmental Highway System Projects are 100% funded; to provide for fund matching requirements for county and urban projects; to provide for fund obligation limitations; to provide for review and approval procedures by the Highway Director for county and urban projects; to provide that MPO's will have authority to administer cities Transportation Improvement Plan to be approved by the Highway Director; to provide that the Highway Director will prescribe project design criteria for county and urban projects; to provide for contracting procedures; to provide for the effective date of this Act.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives Harvey, Rich and McClain.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, HB 550, the title of which is set out in the foregoing Message from the House.

Yeas 16 Nays 13

Yeas:

Senators:

Bedsole, Bennett, Bolling, deGraffenried, Denton, Ellis, Foshee, Ghee, Hale, Horn, Lindsey, Lipscomb, Mitchell, Owens, Preuit, and Smith (B) -16

Nays:

Senators:

Amari, Bailey, Campbell, Corbett, Dixon, Floyd, Hilliard, Langford, Little, Parsons, Smith (J), Wilson, and Windom -13

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Senators deGraffenried, Foshee, and Denton.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate Amendment to the Bill:

H. 553. To amend Section 32-8-6 of the Code of Alabama, 1975, as amended, by imposing an additional fee of \$17.00 for issuing and processing documents related to the Alabama Uniform Certificate of Title and Anti-Theft Act; by increasing the designated agent's fee from \$1.50 to \$2.50 and to provide that the additional fee of \$17.00 shall be deposited into the State Treasury to the credit of the Alabama Economic and Developmental Highway Trust Fund of the State Highway Department; and to amend Section 32-8-7 of the Code of Alabama, 1975, as amended, to increase the designated agent commission fee from \$1.50 to \$2.50.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives Harvey, Rich and McClain.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

On motion of Senator deGraffenried, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, HB 553, the title of which is set out in the foregoing Message from the House.

Yeas 16 Nays 13

Yeas:

Senators:

Bedsole, Bennett, Bolling, deGraffenried, Denton, Ellis, Foshee, Ghee, Hale, Horn, Lindsey, Lipscomb, Mitchell, Owens, Preuit, and Smith (B) -16

Nays:

Senators:

Amari, Bailey, Campbell, Corbett, Dixon, Floyd, Hilliard, Langford, Little, Parsons, Smith (J), Wilson, and Windom -13

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Senators deGraffenried, Foshee, and Denton.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

SR 149. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-seventh legislative day of the 1991 Regular Session only:

Inst Id	Page
S. 652	237
Jefferson Co., governmental entities prohib.from spending public funds on cert. contracts	

S. 2	75
Unclaimed property, auth. to incl. altered goods and apparel, provide for notice, Secs. 35-11-170, 35-11-171, 35-12-6 am'd.	
S. 322	29
Sponsors of health insurance with prescription prog., req. to verify that pharmaceutical provider is registered with St. Bd. of Pharmacy	
S. 392	71
Neonatal testing for mental retardation estab., st. bd. of health to admin., Sec. 22-20-3 am'd.	
S. 297	79
Criminal littering, crime of incr. to Class A misdemeanor, Sec. 13A-7-29 am'd.	
S. 323	29
Pharmacy claim forms for health insurance, use provided for, Sec. 27-1-16 am'd.	
S. 497	99
State property, inventory of alt., Secs. 36-16-8, 41-1-6 am'd.	
S. 9	73
Taxation, chief appraisers, comp., Sec. 40-6A-2 am'd.	
S. 137	22
Acts of Alabama, 1989 Sp. Sess. and 1990 Reg. Sess., codified	
S. 587	204
Fireworks, bottle rockets prohib., Sec. 8-17-217 am'd.	
S. 402	68
Railroads, transportation companies operating, utilities, radio utilities, license fees incr., Secs. 37-2-41, 37-4-23, 37-4-116 am'd.	
S. 711	208
Alabama's Young Woman of the Year, approp.	
S. 77	25
Counties, auth. to construct public improvements and assess prop. owners served, bond issues and annexation further provided, Sec. 11-28-3 am'd.	

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S. 400	130
Housing, selling, purchasing, financing of, discrimination prohib., penalties	
S. 310	86
Uniform commercial code, leases incl., personal prop., Secs. 7-1-105, 7-1-201, 7-9-113, 35-4-54, 35-4-94 am'd.	
S. 358	161
Electronic voting, pilot prog. estab., Sec. of St. to study	
S. 176	24
Adult foster care homes, day care homes and centers, Human Resources Dept. auth. to estab. rules and stds. for inspection and approval, Sec. 38-2-6 am'd.	
S. 351	87
Statute of limitations, tolling of, alt. for cert. prisoners, Sec. 6-2-8 am'd.	
S. 642	166
Mutual aid associations, valuation law for cash benefits under cert. policies eliminated, Sec. 27-30-16 repealed	
S. 688	234
Birmingham, bd. of ed., membs. incr., election	
S. 505	161
Public Service Commission, motor carrier fees incr., Sec. 37-3-32 am'd.	
S. 306	64
Limited partnerships, auth. to merge with corporations and other partnerships	
S. 347	140
Class 2 through 8 muns., auth. to estab. council-manager or mayor-council form of gov't., boundaries permanently set, dists., terms, powers, duties, officers	
S. 101	30
Forest fire assessments, sale upon default alt., local laws repealed, Secs. 9-13-196, 9-13-197 am'd.	
S. 344	59
Surviving spouse and dependents auth. to participate in	

health ins. of co. and mun. retirees, Sec. 11-91-8 am'd.

S. 390 90
Hunting tournaments, cert. ones prohib., penalties

S. 508 116
Public Employees' Individual Retirement Account Fund,
auth. to make same type investments as Retirement Systems
of Al., Sec. 36-27A-4 am'd.

S. 465 108
Child support, withholding orders, remittance of further
provided for, Secs. 30-3-61, 30-3-62, 30-3-94, am'd.

S. 646 199
County commissions, auth. to contract to build and operate
private prisons

S. 510 148
Public Service Commission, comp. to be periodically
reviewed by Personnel Dept., gov. to approve or disapprove
salary incr., exp. allow. repealed, comp. incr., Sec. 37-1-11
am'd.

S. 423 85
Commissioners on Uniform St. Laws, restriction on
approps. removed, Sec. 41-9-374 am'd.

S. 406 53
State board of health, liability insurance premium grants for
cert. medical practitioners in rural or underserved areas

S. 440 147
Farm Crisis and Transition Program, abolished, new estab.
under Agriculture and Industries Dept., Sec. 2-6A-1 am'd.,
Secs. 2-6A-2 through 2-6A-6 repealed

S. 78 4
Insurance, liability rate reduced for drivers 55 or older who
complete auto safety course

S. 535 118
Permanent Joint Legislative Comm. on Finances and
Budgets established

On motion of Senator deGraffenried, the Resolution was adopted
by the Senate.

UNANIMOUS CONSENT GRANTED

Senator Bedsole requested and received unanimous consent in order to bring up the following Report from the Standing Committee on Rules relative to SJR 139.

REPORT FROM RULES

Senator Preuitt, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

SJR 139. EXPRESSING THE WILL AND INTENT OF THE PEOPLE OF ALABAMA THAT THE PIPELINE PROPOSALS, KNOWN AS DOCKET NOS. CP89-522 AND CP89-523, PENDING BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION, BE APPROVED IN A TIMELY MANNER.

And on motion of Senator Bedsole, said Resolution, SJR 139, was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 367. To authorize the State Industrial Development Authority to sell and issue, from time to time, up to \$100,000,000 in principal amount of its bonds in addition to those heretofore authorized to be issued by it, provided not more than \$10,000,000 in aggregate amount shall be issued in any two-year period and not more than \$40,000,000 in aggregate principal amount shall be outstanding at any one time; to expand certain powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to certain grantees, subject to certain limitations, for the purpose of paying costs of preparation of sites for use by certain enterprises; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide for the execution, form and terms of such bonds and for the terms of sale thereof; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary

funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Sections 40-25-2 and 40-25-23, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the state treasurer shall be the custodian of the funds of the Authority.

and pending Hale substitute, which said substitute is set out in the Journal of the Senate for the Twenty-Sixth Legislative Day.

Senator Hale offered the following amendment to the substitute for the Bill, HB 367, to-wit:

AMENDMENT TO SUBSTITUTE FOR HB 367

On page 4, Section 2, line 28, after the language "such limit." amend by inserting the following:

Bonds of the authority may be sold at such price or prices and at such time or times as the board of directors of the authority may consider advantageous, only at public sale. Bonds must be sold by competitive bid on sealed bids or at public auction, to the bidder whose bid reflects the lowest effective borrowing cost to the authority for the bonds being sold. Notice of each such sale by competitive bids shall be given by publication in either a financial journal or a financial newspaper published in the city of New York, New York, and also by publication in a newspaper published in the state of Alabama, each of which notices must be published at least one time not less than 10 days before the date for the sale. The board of directors may fix the terms and conditions under which such sale by competitive bids may be held; provided that such terms and conditions shall not conflict with any of the requirements of this chapter. The authority may pay out of the proceeds of the sale of its bonds all expenses, including capitalized interest during a period not to exceed one year from the date of issuance of such bonds, publication and printing charges, attorneys' fees and other expenses which said board of directors may deem necessary and advantageous in connection with the authorization, advertisement, sale, execution and issuance of such bonds. Neither a public hearing nor consent of the state department of finance or any other department or agency of the state shall be a prerequisite to the issuance or sale of bonds by the authority. Provided,

however, that if the authority deems any bid not to be acceptable or in the best interests of the State of Alabama it may reject all bids and negotiate a public or private bond issue at the prices the authority deems in the best interests of the state.

Which was adopted.

And said substitute, as thus amended, was then adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (J), and Waggoner -27

Nays:

- 0

And said Bill, HB 367, as amended by the substitute, as amended, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 652. Relating to Jefferson County; prohibiting the county and municipalities and instrumentalities thereof from expending funds for certain contracts not subject to the competitive bid laws to be performed by any person or firm in which any owner, director, officer or employee is related by blood or marriage to an elected officer of the county or municipality which is a party to the contract.

was taken up.

On motion of Senator Amari, the Rules were suspended and further consideration of the Bill, SB 652, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Bailey, B.I.R., SB 2, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 2. To further provide for certain unclaimed personal property; to amend Sections 35-11-170, 35-11-171 and 35-12-6, Code of Alabama 1975, as amended, relating to certain unclaimed personal articles, goods and clothing so as to include altered goods and apparel; and to provide for notice.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 2.

BUDGET ISOLATION RESOLUTION

Senator Bolling, B.I.R., SB 322, adopted.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 322. Requiring any insurance company, health maintenance organization, employer or other organization that provides a pharmaceutical program to their employers or members, to obtain written proof that the provider pharmacies are registered with the Alabama state board of pharmacy and prescribing penalties for violation.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 322.

BUDGET ISOLATION RESOLUTION

Senator Bedsole, B.I.R., SB 392, adopted.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 392. To amend Section 22-20-3, Code of Alabama 1975, which provides for neonatal testing for certain diseases, so as to authorize certain other tests and the collection of a fee for the newborn screening program.

was taken up.

Senator Bedsole offered the following substitute for the Bill, SB 392, to-wit:

SUBSTITUTE FOR SB 392

A B I L L T O B E E N T I T L E D A N A C T

To amend Section 22-20-3, Code of Alabama 1975, which provides for neonatal testing for certain diseases, so as to authorize certain other tests and the collection of a fee for the newborn screening program.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 22-20-3, Code of Alabama 1975, is hereby amended to read as follows:

"§22-20-3.

"(a) It shall be the duty of the administrative officer or other persons in charge of each institution caring for infants 28 days or less of age, or the physician attending a newborn child or the person attending a

newborn child that was not attended by a physician to cause to have administered to every such infant or child in his care a reliable test for hypothyroidism and a reliable test for phenylketonuria (PKU), such as the Guthrie test, or any other test considered equally reliable by the state board of health and a reliable test for sickle cell anemia, sickle cell trait and/or abnormal hemoglobin and such other tests relating to mental retardation or other heritable diseases and conditions as are designated by the board of health. Provided, however, that the board of health shall designate only conditions that are detectable by mass screening of newborn infants. Initial mass screening tests ~~Testing~~ and the recording of the results of such tests shall be performed by the public health laboratory at such times and in such manner as may be prescribed by the state board of health; confirmatory tests shall be undertaken by such laboratory facilities as are designated by the attending physician or parents; provided, that no such initial screening or confirmatory test shall be given to any child whose parents object thereto on the grounds that such tests conflict with their religious tenets and practices. No physician, laboratory technician or person administering the tests will be liable because the parent or guardian did not consent to the test.

"(b) The state board of health shall promulgate such rules and regulations as it considers necessary to provide for the care and treatment of those newborn infants whose tests are determined positive, including but not limited to, advising dietary treatment for such infants. The state board of health shall promulgate any other rules and regulations necessary to effectuate the provisions of this section including the collection of a reasonable fee for the newborn child screening program."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

And said Bill, SB 392, as amended by the substitute, was read a third time at length and passed and ordered sent forthwith to the House upon engrossment.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 392.

BUDGET ISOLATION RESOLUTION

Senator Bennett, B.I.R., SB 297, adopted.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 297. To amend Section 13A-7-29 of the Code of Alabama 1975, relating to the crime of criminal littering so as to provide further for punishment.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,

Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays: - 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 297.

BUDGET ISOLATION RESOLUTION

Senator Bolling, B.I.R., SB 323, adopted.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 323. To amend Section 27-1-16, Code of Alabama 1975, which relates to standard health insurance claim forms; so as to provide for use of a certain pharmacy claim form.

was taken up.

The Standing Committee on Health reported the following amendment to the Bill, SB 323, to-wit:

AMENDMENT TO SB 323

Amend Senate Bill No. 323, on Page 3, Line 3, as follows:

By adding a new subsection (e) to Section 1 of said bill to read as follows:

"(e) All insurers doing business in Alabama and all state agencies shall accept, for services from dentists licensed to practice dentistry, the

Uniform Dental Claim Form approved by the Council on Dental Care Programs of the American Dental Association. Nothing in this section shall be construed to prohibit an insurer or state agency from accepting any other dental insurance claim form for services provided by a dentist licensed to practice dentistry."

Which was adopted.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

And said Bill, SB 323, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House upon engrossment.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -30

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Campbell, B.I.R., SB 497, adopted.

Yeas 27 Nays 3

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

Senators:

Dixon, Little, and Sanders

- 3

BILLS ON THIRD READING RESUMED

THE BILL:

S. 497. To amend Sections 36-16-8 and 41-1-6 of the Code of Alabama 1975, which provides for the inventory of state property, so as to provide further for such inventory.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 20 Nays 9

Yeas:

Senators:

Amari, Barron, Bedsole, Bennett, Campbell, Denton, Ellis, Figures, Floyd, Foshee, Ghee, Hilliard, Langford, Mitchem, Owens, Parsons, Smith (B), Smith (J), Waggoner, and Wilson

-20

Nays:

Senators:

Corbett, Dixon, Lindsey, Lipscomb, Little, Mitchell, Preuit, Sanders, and Windom

- 9

BILL RECONSIDERED

On motion of Senator Bolling, the Senate reconsidered the vote by which the Bill, SB 323, as amended, was passed.

On motion of Senator Bolling, the Senate reconsidered the vote by which the Bill, SB 323, as amended, was ordered to its third reading.

Senator Bolling then offered the following amendment to the Bill, SB 323, as amended, to-wit:

AMENDMENT TO SB 323, AS AMENDED

Amend Senate Bill No. 323, as amended, Page 3 Line 2, as follows:

Delete the word "section." and substitute in lieu thereof the words "sub paragraph (d)."

Which was adopted.

Yeas 27 Nays 1

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -27

Nay: Senator Parsons

- 1

And said Bill, SB 323, as amended, was again read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 27 Nays 1

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -27

Nay: Senator Parsons

- 1

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 323.

BUDGET ISOLATION RESOLUTION

Senator Corbett, B.I.R., SB 9, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 9. To amend section 40-6A-2, Code of Alabama 1975,

relating to the compensation of tax assessors, tax collectors, revenue commissioners, license commissioners, or other persons charged with assessing and collecting ad valorem taxes in the various counties of this state, so as to add chief appraisers to the list of officials and to redefine "other persons charged with assessing and collecting" as "other officials whose primary duty is appraising, assessing and/or collecting"; to provide that the minimum salaries of chief appraisers be 85 percent of the tax assessor or revenue commissioner salary, in the county where the chief appraiser is employed; and to provide an effective date.

was taken up.

The Standing Committee on Governmental Affairs/Local Government reported the following substitute for the Bill, SB 9, to-wit:

SUBSTITUTE FOR SB 9

**A B I L L
T O B E E N T I T L E D
A N A C T**

To provide for a professional pay scale for county chief appraisers based on population of the counties. It is designed to enhance the ability of the counties to recruit and retain qualified appraiser personnel, and to advance professionalism, high standards and knowledge in the administration of the ad valorem tax laws of the State of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. On and after October 1, 1991, and upon approval by the county governing body of a resolution of authorization, the chief appraisers whose primary duty is appraising property for ad valorem taxes in the various counties of this state, shall be compensated by an annual salary, each of such appraisers to receive as a minimum, except as hereinafter provided, an annual salary in the amount specified by the following schedule:

IN COUNTIES HAVING A POPULATION OF:	ANNUAL SALARY
15,000 or less	\$27,500.00
15,001 to 45,000	\$37,500.00
45,001 to 150,000	\$42,500.00
more than 150,000	\$47,500.00

Section 2. Provided herein, the salary for such appraisers in each of the various counties of this state shall be determined according to the above specified schedule based upon the 1980 federal decennial census. The salaries, as above determined, shall be on pro rata basis out of the money collected each tax year into the general fund of each respective county of the state, and thereafter paid from said fund to such appraisers in equal installments. The pro rata share of the appraisers' salaries to be paid by each fund or agency receiving ad valorem taxes shall be determined in each county by computing the percentage that the total collections for each fund or agency bears to the total collections of ad valorem taxes.

Section 3. Provided however, that to qualify for the salary schedule provided in this act, the chief appraiser must be a full-time employee of the county and must be an Alabama certified appraiser in good standing, to be verified to the respective counties by the Alabama department of revenue, ad valorem tax division.

Section 4. Any provision to the contrary notwithstanding contained in this act, this act shall take effect upon the effective date hereinafter provided, in every county of this state in which the county governing body has heretofore passed the resolution of authorization initially required to adopt the provisions of this act within such counties.

Section 5. Notwithstanding the minimum salary schedule provided herein, the salary paid to the chief appraiser under the provisions of this act shall never exceed ten percent less than the salary paid to the elected tax assessor or revenue commissioner in the respective county.

Section 6. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28 Nays 1

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Hale, Langford, Lindsey,

Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B),
Smith (J), Waggoner, Wilson, and Windom -28

Nay: Senator Little - 1

And said Bill, SB 9, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 28 Nays 1

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nay: Senator Little - 1

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 9.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 137. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1989 Special Session and the 1990 Regular Session of the Legislature, as contained in the 1990 Cumulative Supplement to certain volumes of the Code and in the 1990 Replacement Volume 14 of the Code; and to make corrections in certain volumes of such cumulative supplement.

was taken up.

Senator Dixon requested and received unanimous consent to suspend the Rules in order to postpone further consideration of the Bill, SB 137, subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Denton, B.I.R., SB 587, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 587. To amend Section 8-17-217, Code of Alabama 1975, relating to permissible fireworks, to exclude bottle rockets specifically from the definition of fireworks that may be sold within the state by establishing minimum size requirements for sky rockets, but to provide that such devices may be stored by licensed manufacturers, distributors and wholesalers within the state for sale outside the state, and to provide for an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 587.

BUDGET ISOLATION RESOLUTION

Senator Foshee, B.I.R., SB 402, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 402. To amend section 37-2-41, section 37-4-23 and section 37-4-116 of the Code of Alabama 1975, relating to the inspection and supervision fees paid by transportation, utility, and radio utility companies, so as to provide further for such fees; and to provide for the future compensation of certain employees.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 402.

BUDGET ISOLATION RESOLUTION

Senator Dixon, B.I.R., SB 711, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt,

Smith (B), Smith (J), Waggoner, Wilson, and Windom

-29

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 711. To make an appropriation from the State General Fund to the Alabama's Young Woman of the Year for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, SB 711, to-wit:

SUBSTITUTE FOR SB 711**A B I L L
T O B E E N T I T L E D
A N A C T**

To make a conditional appropriation from the state general fund to the Alabama's Young Woman of the Year for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of twelve thousand five hundred dollars (\$12,500.00), or so much thereof as may become available as herein provided, is hereby appropriated from the state general fund in the state treasury to the Alabama's Young Woman of the Year for the fiscal year ending September 30, 1992. The appropriation made herein is conditional upon the condition of the state general fund, as ascertained by the Governor, and shall be released only upon orders of the Governor.

Section 2. Prior to release of any funds conditionally appropriated under this act for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the director of finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

And said Bill, SB 711, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 711.

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 77, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 77. To provide a comprehensive system of law applicable to all counties in this state defining the powers of any such counties to construct improvements or reimprovements consisting of streets or any portions thereof, sanitary sewers and sewer systems and water and gas mains and service connections, drainage improvements or drainage systems and the filling in of swamps or inundated or overflowed or submerged lands, ornamental lighting systems or white way systems of lighting and the construction, acquisition, improvement and extension of seawalls, dikes, levees and embankments in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for the establishment of the grade of certain streets, avenues, alleys or sidewalks to be improved; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide that the county commission must accept or reject work on the part of the county; to provide for supervision of the work; to provide for the levy of assessments on the property abutting on or drained, served or benefited by any improvement; to provide for the assessment against lands purchased by the state; to provide the manner of assessments generally; to provide for improvements of intersections of streets, avenues or other highways; to provide for sidewalk improvements; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for the entry of the list in an assessment book for local improvements; to provide for the delivery of the assessment book to the county clerk and the publication of notice as to delivery and inspection of such book; to provide for notice of hearing of objections; to provide for the contents of the notice as to the hearing on assessments for improvements; to provide for any defects or errors therein; to provide for the filing of written objections to assessments by property owners; to provide for a hearing on the proposed assessments and making the same final; to provide for the powers of the commission as to the subpoena of witnesses; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of

certain assessments; to provide for procedures with respect to erroneous assessments and assessments in excess of benefits derived; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide for the effect of enforcement of tax liens upon property subject to assessment liens and the duration of assessment liens; to provide for the effect of sale of property for enforcement of an assessment lien upon other assessment liens upon the same property; to provide a system for appeals from the making of such final assessment; to provide for bond on appeal; to provide for entry on trial docket of appeal; to provide for the transcript for appeal; to provide for prima facie evidence on appeal; to provide for the conduct of appeal, right of jury trial and the entry of judgment and assessment of costs generally; to provide for the entry of judgment for amounts properly chargeable against lands where the assessment is defective; to provide for appeals from the judgment of the circuit court; to provide for the addition of interest and damages upon affirmance of judgment for the county; to provide that the county may appeal from any judgments of the circuit court without giving bond; to provide for the issuance of execution and order of sale upon entry of final judgment in favor of the county; to provide a system for payment of all such assessments and for default in such payments; to provide for proceedings for sale of land upon failure of owner to pay assessment; to provide for the payment of assessments prior to sale; to provide that the costs of notice and sale are to be charged against the land; to provide for the execution of a deed to the purchaser at such sale; to provide for the effect of error and defect of notice of sale; to provide for the redemption of property after sale generally; to provide for the extension of the redemption period; to provide for the application for filing of certificate of warning to redeem upon the record of local improvement assessment sale deed; to provide for the mailing of copies of deed and certificate to persons last assessed upon property described in deed by probate judge; to provide for the redemption of property during extended redemption period; to provide for the performance of duties of the probate judge; to provide for the redemption of property; to provide for the making of temporary loans or issuance of bonds before or during progress of work to pay for cost of improvement; to provide for the issuance of bonds after completion of work; to provide for the applicability of provisions of law as to issuance of county bonds generally; to provide for the issuance of bonds generally; to provide for the maturity and payments of such bonds; to provide for the disposition of proceeds from the sale of bonds; to provide for the grouping of improvements for the issuance of bonds; to provide for the maintenance and disposition of sinking fund accounts for bond issues; to provide for the bond of the officer charged with the collection of assessments; to provide for the redemption of bonds; to provide for the refunding of excess assessments; to provide a limitation

period for presentation of claims and disposition of amounts not refunded; to provide for the settlement, adjustment or refunding of bonds; to provide for the consolidation of separate outstanding issues or issuance of refunding bonds; to provide for the maintenance and disposition of sinking fund accounts for refunding bond issues; to grant to any county the right of eminent domain with respect to improvements; to provide that this act shall not affect the powers of counties to compel property owners to repair sidewalks; to provide for apportionment of assessments against property for public improvements among joint owners thereof; to provide for a petition of a tenant in common for division of an assessment among joint owners of property; to provide for a division of assessment among the tenants in common; to provide for a notice to property owners of division of assessment; to provide for appeals from division of assessment; to provide for correction of description of ownership of property and reduction of an assessment; to provide for the effect of reduction upon an assessment lien; to provide for the effect of annexation and incorporation of an area in which assessments have been made; to amend section 11-28-3, Code of Alabama 1975, as amended, relating to the issuance of warrants by counties so as to provide for the pledge of assessments for the benefit of such warrants; to provide for severability of the provisions of this act; and to establish the effective date of this act.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 21 Nays 4

Yeas:

Senators:

Bailey, Barron, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Lindsey, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Smith (J), Waggoner, and Wilson -21

Nays:

Senators:

Corbett, Little, Parsons, and Windom

- 4

BUDGET ISOLATION RESOLUTION

Senator Figures, B.I.R., SB 400, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon,

Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Waggoner, Wilson, and Windom
-27

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 400. To prohibit discrimination in the selling, renting, leasing, and financing of housing; to prohibit certain actions and activities; to provide for hearings and appeals; and to provide penalties.

was taken up.

Senator Figures offered the following substitute for the Bill, SB 400, to-wit:

SUBSTITUTE FOR SB 400

**A B I L L
T O B E E N T I T L E D
A N A C T**

To prohibit discrimination in the selling, renting, leasing, and financing of housing; to prohibit certain actions and activities; to provide for hearings and appeals; and to provide penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the "Alabama Fair Housing Law."

Section 2. Within constitutional limitations, it is the policy of this state to provide for fair housing throughout the state.

Section 3. The following words and phrases used in this act shall have the following respective meanings unless the context clearly indicates otherwise:

(1) "ADECA" means the Alabama Department of Economic and Community Affairs.

(2) "Covered multifamily dwellings" means:

a. Buildings consisting of four or more units if the buildings have one or more elevators; and

b. Ground floor units in other buildings consisting of four or more units.

(3) "Discriminatory housing practice" means an act that is unlawful under this act.

(4) "Dwelling" means any building or structure, or portion of any building or structure, which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location on it of any such building or structure, or portion of it.

(5) a. "Familial status" means one or more individuals who have not attained the age of 18 years and are domiciled with:

1. A parent or another person having legal custody of the individual; or

2. The designee of the parent or other person having the custody, with the written permission of parent or other person.

b. The protections afforded against discrimination on the basis of familial status apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(6) "Handicap" means, with respect to a person:

a. A physical or mental impairment which substantially limits one or more of the person's major life activities;

b. A record of having such an impairment; or

c. Being regarded as having an impairment. The term "handicap" excludes current, illegal use of or addiction to a controlled substance as defined by law.

(7) "Housing for older persons" means housing:

a. Provided under any state or federal program that the attorney general determines is designed specifically and operated to assist elderly persons, as defined in the state or federal program; or

b. Intended for, and solely occupied by persons 62 years of age or older; or

c. Intended and operated for occupancy by at least one person 55 years of age or older for each unit. In determining whether housing qualifies as housing intended and operated for occupancy by at least one person 55 years of age or older, the Alabama Department of Economic and Community Affairs shall develop regulations which require at least the following factors:

1. The existence of significant facilities and services specifically designed to meet the physical or social needs of older persons, or if the provision of the facilities and services is not practicable, that the housing is necessary to provide important housing opportunities for older persons; and

2. That at least 80 percent of the dwellings are occupied by at least one person 55 years of age or older for each unit; and

3. The publication of and adherence to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

d. Housing does not fail to meet the requirements for housing for older persons by reason of:

1. Persons residing in this housing as of the date of enactment of this act who do not meet the requirements of paragraph b or c; or

2. Unoccupied units, provided that these units are reserved for occupancy by persons who meet the new requirements of paragraph b or c.

(8) "Office" means office of ADECA.

(9) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

(10) "To rent" includes to lease, to sublease, to let, and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

Section 4. It shall be unlawful:

(1) To refuse to sell or rent after the making of a bona fide offer, to refuse to negotiate for the sale of rental of, or otherwise to make unavailable or deny a dwelling to any person because of race, color, religion, sex, familial status, or national origin;

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with it, because of race, color, religion, sex, familial status, or national origin;

(3) To make, print or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin or an intention to make the preference, limitation, or discrimination;

(4) To represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that any dwelling is not available to inspection, sale or rental when the dwelling is available;

(5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status, or national origin;

(6) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of:

a. That buyer or renter;

b. A person residing in or intending to reside in that dwelling after it is sold, rented, or made available; or

c. Any person associated with that buyer or renter;

(7) To discriminate against a person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with the dwelling, because of a handicap of:

a. That person;

b. A person residing in or intending to reside in that dwelling

after it is sold, rented, or made available; or

- c. Any person associated with that person.

Section 5. It shall be unlawful to deny any person access to, or membership or participation in, any multiple listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings or to discriminate against him in the terms or conditions of the access, membership, or participation on account of race, color, religion, sex, handicap, familial status, or national origin.

Section 6. (a) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of the transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(b) As used in this section, "residential real estate related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

a. For purchasing, constructing, improving, repairing, or maintaining a dwelling; or

b. Secured by residential real estate; or

(2) The selling, brokering or appraising of residential real property.

(c) Nothing in this act prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap or familial status.

Section 7. (a) The provisions of Sections 4 and 6 do not apply to rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of the living quarters as his residence.

(b) The provisions of Sections 4 and 6 do not apply to any single-family house sold or rented by an owner when:

(1) The private individual owner does not own more than three single-family houses at any one time; and

(2) In the sale of any single-family house by a private individual owner not residing in the house at the time of the sale or who was not the most recent resident of the house before the sale, the exemption granted by this subsection shall apply only with respect to one sale within a 24-month period; and

(3) A bona fide private individual owner does not own an interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or a right to all or a portion of the proceeds from the sale or rental of more than three single-family houses at any one time.

(c) After the effective date of this act, the sale or rental of a single-family house is excepted from the application of this subsection only if the house is sold or rented:

(1) Without the use in any manner of the sales or rental facilities or the sales or rental services of a real estate broker, agent, or salesman, or of the facilities or services of a person in the business of selling or renting dwellings, or of an employee or agent of a broker, agent, salesman, or person; and

(2) Without publication posting or mailing, after notice, of an advertisement or written notice in violation of this act. Nothing in this subsection prohibits the use of attorneys, escrow agents, abstractors, title companies, and other professional assistance as necessary to perfect or transfer this title.

(d) For the purposes of this section, a person is considered to be in the business of selling or renting dwellings if he:

(1) Has, within the preceding 12 months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest in it;

(2) Has, within the preceding 12 months, participated as agent, other than in the sale of his personal residence, in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest in it; or

(3) Is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

(e) The provisions of this act shall not prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental, or occupancy of any dwelling which it owns or operates for other than a commercial purpose to persons of the same religion or from giving preference to those persons, unless membership in the religion is restricted because of race, color, or national origin. The provisions of this act shall not prohibit a private club not in fact open to the public, which as an incident to its primary purpose provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of the lodgings to its members or from giving preference to its members.

(f) It is not unlawful under subdivisions (1) or (2) of Section 4 for any person to deny or limit the rental of housing to persons who pose a real and present threat of substantial harm to themselves, to others, or to the housing itself.

(g) The provisions of this act shall not prohibit conduct against a person because the person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined by law.

(h) For purposes of subdivision (6) of Section 4, the term "discrimination" includes:

(1) A refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications are necessary to afford that person full enjoyment of the premises, except that in the case of a rental, the landlord, where it is reasonable to do so, may condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;

(2) A refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford the person equal opportunity to use and enjoy a dwelling; or

(3) In connection with the design and construction of covered multifamily dwellings for first occupancy after the date that is 30 months after the date of enactment of the Fair Housing Amendments Act of 1988, a failure to design and construct those dwellings in such a manner that:

a. The public use and common use portions of such dwelling are readily accessible to and usable by handicapped persons;

b. All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

c. All premises within these dwellings contain the following features of adaptive design:

1. An accessible route into and through the dwelling;

2. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations;

3. Reinforcements in the bathroom walls to allow later installation of grab bars; and

4. Usable kitchens and bathrooms that an individual in a wheelchair can maneuver about the space.

(i) Compliance with the appropriate requirements of the American National Standard for Buildings and Facilities Providing Accessibility and Usability for Physically Handicapped People (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of Section 7 (h)(3)c.

(1) If a unit of local government has incorporated into its laws the requirements in subsection (h)(3) of this section, compliance with these laws is considered to satisfy the requirements.

(2) A unit of local government may review and approve newly constructed covered multifamily dwellings for the purpose of making determinations as to whether the design and construction requirements of subsection (h)(3) of this section are met.

(3) The office shall encourage, but may not require, units of local government to include in their existing procedures for the review and approval of newly constructed covered multifamily dwellings, determinations as to whether the design and construction of these dwellings are consistent with subsection (h)(3) of this section, and shall provide technical assistance to units of local government and other persons to implement the requirements of subsection (h)(3) of this section.

(4) Nothing in this act may be construed to require the office to

review or approve the plans, designs, or construction of all covered multifamily dwellings, to determine whether the design and construction of these dwellings are consistent with the requirements of subsection (h)(3) of this section.

(j) (1) Nothing in subsection (i) of this section may be construed to affect the authority and responsibility of the attorney general to receive and process complaints or otherwise engage in enforcement activities under this act.

(2) Determinations by the unit of local government under subsection (i) are not conclusive in enforcement proceedings under this act.

(k) Nothing in this act may be construed to invalidate or limit any rule, regulation, resolution or ordinance of a political subdivision of the state that requires dwellings to be designed and constructed in a manner that affords handicapped persons greater access than is required by this act.

(l) Nothing in this act requires that a dwelling be made available to an individual whose occupancy would constitute a direct threat to the health or safety of other individuals or whose occupancy would result in substantial physical damage to the property of others.

(m) Nothing in this act limits the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling. Owners and managers of dwellings may develop and implement reasonable occupancy and safety standards based on factors such as the number and size of sleeping areas or bedrooms and the overall size of a dwelling unit so long as the standards do not violate local, state, or federal restrictions. The provisions in this act regarding familial status shall not apply to housing for older persons. The provisions of this act shall not prohibit the lease application or similar document from requiring information concerning the number, age, sex, and familial relationship of the applicants and the dwellings intended occupants. The owner or manager may consider these factors in determining payment of utilities. The application also may require disclosure by the applicant of the conviction of any intended occupant for violating any laws pertaining to the illegal manufacture or distribution of a controlled substance as defined in Title 22 of the Code of Alabama 1975.

(n) The provisions of Section 4 with respect to discrimination based on sex do not apply to the rental or leasing of dwellings in a single-sex dormitory property.

Section 8. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise of, or on account of his having aided or encouraged any other person in the exercise of any right granted under this act.

Section 9. (a) The office shall administer the provisions of this act.

(b) The office may delegate any of its functions, duties, and powers to its employees including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter under this act.

Section 10. The office has the power to:

(1) Promulgate regulations necessary for the enforcement of this act which may not exceed the requirements of the 1988 Fair Housing Amendments Act (PL 100-430) and any subsequent amendments to it;

(2) Make studies with respect to the nature and extent of discriminatory housing practices in representative urban, suburban, and rural communities throughout the state;

(3) Publish and disseminate reports, recommendations, and information derived from the studies;

(4) Cooperate with and render technical assistance to public or private agencies, organizations, and institutions within the state which are formulating or carrying on programs to prevent or eliminate discriminatory housing practices;

(5) Cooperate with the United States Department of Housing and Urban Development to achieve the purposes of that department and with other federal, state, and local agencies and departments;

(6) Accept reimbursement pursuant to Title 28, United States Code, Section 817, for services rendered to the United States Department of Housing and Urban Development;

(7) Accept gifts or bequests, grants, or other donations, public or private;

(8) Institute proceedings in a court of competent jurisdiction, for cause shown, to seek appropriate temporary or preliminary injunctive relief pending final administrative disposition of a complaint;

(9) Contract with persons and organizations to perform services as it may consider reasonably necessary to effectuate the purposes of this act and to accept reimbursement for services rendered pursuant to the contract. However, the office may not delegate its decision making authority to a nongovernmental agency. This decision making authority includes acceptance of complaints, approval of conciliation agreements, dismissal of complaints, final disposition of complaints, or other enforcement powers granted by this act;

(10) Make contractual agreements within the scope and authority of this act with any agency of the federal government. An agreement with the Department of Housing and Urban Development may include provisions under which said office shall refrain from processing a charge in this state in any class specified in the agreement;

(11) Administer the programs and activities relating in a manner affirmatively to further the policies of this act.

Section 11. (a) In conducting an investigation, the office shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy the materials and take and record the testimony or statements of persons as are reasonably necessary for the furtherance of the investigation, provided the office first complies with the constitutional provisions relating to unreasonable searches and seizures. The office may issue subpoenas to compel its access to or the production of the materials or the appearance of the persons and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in court. The office may administer oaths. Any examination, recording, copying of materials, and the taking and recording of testimony or statements of persons as reasonably are necessary for the furtherance of the investigation must be solely related to the complaint for which the subpoena was issued.

(b) Upon written application to the office, a respondent is entitled to the issuance of a reasonable number of subpoenas by and in the name of the office to the same extent and subject to the same limitations as subpoenas issued by the office itself. A subpoena issued at the request of a respondent shall show on its face the name and address of the respondent and shall state that it was issued at his request.

(c) Within five days after service of a subpoena upon any person, the person may petition the office to revoke or modify the subpoena. The office shall grant the petition if it finds that the subpoena requires

appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, or that compliance would be unduly onerous or for other good reason.

(d) In case of refusal to obey a subpoena, the office or the person at whose request the subpoena was issued may petition for its enforcement in the circuit court for the county in which the person to whom the subpoena was addressed resides, was served, or transacts business.

(e) Witnesses summoned by a subpoena under this act are entitled to the same witness and mileage fees as witnesses in proceedings in court. Fees payable to a witness summoned by a subpoena issued at the request of a party must be paid by that party or, where a party is unable to pay the fees, by the office.

Section 12. (a) A person who claims to have been injured by a discriminatory housing practice or who believes that he may be injured by a discriminatory housing practice that is about to occur may file a complaint with the office. Complaints must be in writing and shall contain information and be in a form required by the office. Upon receipt of a complaint, the office shall serve notice upon the aggrieved person of the time limits and choices of forums provided under this act and shall furnish a copy to the person who allegedly committed the discriminatory housing practice or is about to commit the alleged discriminatory housing practice and advise him of the procedural rights and obligations under the law. Within 30 days after receiving a complaint, or within 30 days after the expiration of any period of reference under subsection (c), the office shall investigate the complaint and give notice in writing to the person aggrieved whether it intends to resolve it. If the office decides to resolve the complaint, it shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion. If practicable, conciliation meetings must be held in the cities or other localities where the discriminatory housing practices allegedly occurred. Nothing said or done in the course of the informal endeavors may be made public or used as evidence in a subsequent proceeding under this act without the written consent of the persons concerned. An employee of the office who makes public any information in violation of this provision is guilty of a misdemeanor punishable by a fine of not more than \$200.00, or imprisoned for not more than 30 days.

(b) A complaint under subsection (a) must be filed within 180 days after the alleged discriminatory housing practice occurred. The

complaint must be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. A complaint may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him, not later than 10 days after receipt of notice, and may be amended reasonably and fairly by the respondent at any time. Both complaint and answer must be verified.

(c) Wherever a local fair housing law provides rights and remedies for alleged discriminatory housing practices which substantially are equivalent to the rights and remedies provided in this act, the office shall notify the appropriate local agency of any complaint filed under this act which appears to constitute a violation of the local fair housing law, and the office shall take no further action with respect to the complaint if the local law enforcement official, within 30 days from the date the alleged offense was brought to his attention, has commenced proceedings in the matter. In no event may the office take further action unless it certifies that in its judgment, under the circumstances of the particular case, the protection of the rights of the parties or the interest of justice require the action. Complaints referred to the office by the Department of Housing and Urban Development may not be referred by the office to a local agency.

(d) Any conciliation agreement arising out of conciliation efforts by the office must be an agreement between the respondent and the complainant and is subject to the approval of the office. Each conciliation agreement must be made public unless the complainant and respondent otherwise agree and the office determines that disclosure is not required to further the purposes of this act.

(e) The investigation must be completed in no more than 100 days after receipt of the complaint. If the office is unable to complete the investigation within 100 days, it shall notify the complainant and respondent in writing of the reasons for not doing so.

(f) The office shall make final administrative disposition of a complaint within one year of the date of receipt of a complaint unless it is impractical to do so. If the office is unable to do so, it shall notify the complainant and respondent, in writing, of the reasons for not doing so.

(g) In any proceeding brought pursuant to this section, the burden of proof is on the complainant.

(h) Whenever an action is filed by an individual in court pursuant to this section or Section 14 comes to trial, the office shall terminate all efforts to obtain voluntary compliance.

Section 13. (a) If not sooner resolved, the investigator, upon completion of his investigation, shall submit to ADECA a statement of the facts disclosed by his investigation and recommend either that the complaint be dismissed or that a panel of office members be designated to hear the complaint. ADECA, after review of the case file and the statement and recommendation of the investigator, shall issue an order either of dismissal or for a hearing, which is not subject to judicial or other further review.

(b) If the order is for dismissal, ADECA shall mail a copy of the order to the complainant and the respondent at their last known addresses. The complainant may bring an action against the respondent in circuit court within 90 days of the date of the dismissal or within one year from the date of the violation alleged, whichever occurs later, to enforce the rights granted or protected by this act and to seek relief as provided for in Section 14.

(c) (1) If the order is for a hearing, ADECA shall attach to it a notice and a copy of the complaint and require the respondent to answer the complaint at a hearing at a time and place specified in the notice and shall serve upon the respondent a copy of the order, the complaint, and the notice.

(2) Either party may elect to have the claims asserted in the complaint decided in a civil action. ADECA notice must be sent to all parties and inform them of their right to take civil action. An election must be made within 20 days after receipt of the notice. A party making this election shall notify ADECA and all other parties. If an election is made for a civil action, ADECA shall, within 30 days from the date of election, commence and maintain a civil action pursuant to Section 14 on behalf of the aggrieved person.

(d) At any time before a hearing, a complaint may be amended by ADECA upon the request of the investigator or of the complainant or of the respondent. Complaints may be amended during a hearing only upon a majority vote of the panel of office members for the hearing.

(e) Upon request by any party, ADECA shall issue appropriate subpoenas or subpoenas duces tecum to any witnesses or other custodians of documents desired to be present at the hearing, or at prehearing depositions, unless ADECA determines that issuance of the subpoenas or subpoenas duces tecum would be unreasonably or unduly burdensome.

(f) Upon notification by any party that any party or witness has

failed to permit access, failed to comply with a subpoena or subpoena duces tecum, refused to have his deposition taken, refused to answer interrogatories, or otherwise refused to allow discovery, the office, upon notice to the party or witness, shall apply to a court of competent jurisdiction for an order requiring discovery and other good faith compliance unless the office determines that the discovery would be unreasonably or unduly burdensome.

(g) ADECA shall designate a panel of three persons to hear the complaint.

(h) At any hearing held pursuant to this section, the case in support of the complaint must be presented before the panel by one or more of the offices's employees or agents or by legal representatives of the complaining party. Endeavors at conciliation by the investigator may not be received into evidence nor otherwise made known to the members of the panel.

(i) The respondent shall submit a written answer to the complaint and appear at the hearing in person or by counsel and may submit evidence. The respondent may amend his answer reasonably and fairly.

(j) The complainant must be permitted to be present and submit evidence.

(k) Proceedings under this section are subject to the provisions of the Alabama Administrative Procedure Act, and in the case of conflict between the provisions of this act and the Alabama Administrative Procedure Act, the provisions of the Alabama Administrative Procedure Act shall govern. A recording of the proceedings must be made, which may be transcribed subsequently upon request and payment of a reasonable fee by the complainant or the respondent. The fee must be set by the office or upon motion of the panel, in which case copies of the transcription must be made available to the complainant or the respondent upon request and payment of a reasonable fee to be set by the office.

(1) If, upon all the evidence at the hearing, the panel shall find that the respondent has engaged in any unlawful discriminatory practice, it shall state its findings of fact and serve upon the complainant and the respondent in the name of the office an opinion and order for appropriate relief which may include that the unlawful discriminatory practice be discontinued, actual damages, civil penalties which may not be greater than civil penalties established by the federal Fair Housing Act in Section 812 and reasonable attorney's fees. The office may retain

jurisdiction of the case until it is satisfied of compliance by the respondent of its order.

(m) If, upon all the evidence at the hearing, the panel finds that the respondent has not engaged in any unlawful discriminatory practice, the panel shall state its findings of fact and serve upon the complainant and the respondent an opinion and order dismissing the complaint as to the respondent. A prevailing respondent may apply to the office for an award of reasonable attorney's fees and costs.

(n) A copy of the opinion and order of the office shall be delivered in all cases to such other public officers as the office considers proper. Copies of the opinion and order must be available to the public for inspection upon request, and copies must be made available to any person upon payment of a reasonable fee set by the office.

(o) (1) If an application for review is made to the office within 14 days from the date the order of the office has been given, the office, for good cause shown, shall review the order and evidence, receive further evidence, rehear the parties or their representatives, and if proper, amend the order.

(2) Either party to the dispute, within 30 days after receipt of notice to be sent by registered mail of the order, but not after that time, may appeal from the decision of the office to the circuit court of the county in which the hearing occurred, or in which the respondent resides or has his principal office. In case of an appeal from the decision of the office, the appeal shall operate as a supersedeas for 30 days only, unless otherwise ordered by the court, and after that the respondent is required to comply with the order involved in the appeal or certification until the questions at issue in it have been determined fully in accordance with the provisions of this act.

(3) The office may institute a proceeding for enforcement of its order of subsection (1), or its amended order of subdivision (1) after 30 days from the day of the order, by filing a petition in the circuit court of the county in which the hearing occurred, or where any person against whom the order is entered resides or transacts business.

(4) If no appeal under subdivision (2) is initiated, the office may obtain a decree of the court for enforcement of its order upon a showing that a copy of the petition for enforcement was served upon the party subject to the dictates of the office's order.

Section 14. (a) A civil action must be commenced within one

year after the alleged discriminatory housing practice has occurred. However, the court shall continue a civil case brought pursuant to this section, from time to time, before bringing it to trial if the court believes that the conciliation efforts of the office or local agency are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the office or to the local agency and which practice forms the basis for the action in court. Any sale, encumbrance, or rental consummated before the issuance of any court order issued under the authority of this act and involving a bona fide purchaser, encumbrances, or tenant without actual notice of the existence of the filing of a complaint or civil action under the provisions of this act are not affected. A civil action may be commenced by an aggrieved person whether or not a complaint has been filed with the office.

(b) The court may grant as relief, as it considers appropriate, any permanent or temporary injunction, temporary restraining order, or other order and may award the plaintiff actual damages, and punitive damages, together with court costs and reasonable attorney's fees in the case of a prevailing party, if the prevailing party in the opinion of the court is not financially able to assume the attorney's fees.

Section 15. Before accepting any complaint under this act, the office shall determine if the complainant has filed a similar complaint with the Federal Home Loan Bank Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation of the Federal Reserve System, the United States Department of Housing and Urban Development, or any other agency with authority to investigate and resolve complaints alleging a violation of this act. If a complaint has been filed or is filed, subsequently the office shall coordinate efforts to resolve the complaint with that agency in order to avoid multiple investigations of the respondent.

Section 16. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. All laws or parts of laws which conflict with this act are hereby repealed.

Section 18. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuit, Smith (B), Waggoner, Wilson, and Windom -27

Nays:

- 0

And said Bill, SB 400, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuit, Smith (B), Waggoner, Wilson, and Windom -27

Nays:

- 0

On motion of Senator Figures, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 400.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 310. To provide for the creation of a comprehensive statutory formulation of personal property leasing laws including the formation and construction, effect and performance of a lease contract; default by the lessor and lessee and general provisions. To amend Sections 7-1-105 of the Code of Alabama 1975, so as to include this act; to amend Section 7-1-201 of the Code of Alabama 1975, so as to revise the definition of "security interest"; to amend Section 7-9-113 of the Code of Alabama 1975, so as to include security interest arising under this act; to amend Sections 35-4-54 and 35-4-94 of the Code of Alabama 1975 so as to exclude leases; and to provide that this act will become effective January 1, 1992.

was taken up.

Senator Floyd requested and received unanimous consent to suspend the Rules to postpone further consideration of the Bill, SB 310, subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Foshee, B.I.R., SB 358, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 358. To create a "pilot project" for the Secretary of State to establish specifications for a uniform system of electronic voting and for the electronic transfer of election totals from counties to the Secretary of State's office.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Waggoner, Wilson, and Windom -27

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ghee, B.I.R., SB 176, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 176. To amend section 38-2-6, Code of Alabama 1975, relating to the duties, powers and responsibilities of the Alabama state department of human resources, so as to provide for establishing rules and standards for inspection and approval of adult foster care homes and adult day care centers and homes.

was taken up.

On motion of Senator Hale, the Rules were suspended and further consideration of the Bill, SB 176, was postponed.

BILLS ON THIRD READING RESUMED

Senator Hale requested and received permission to suspend the Rules in order to bring up the Bill, HB 333, to-wit:

H. 333. To amend section 38-2-6, Code of Alabama 1975, relating to the duties, powers and responsibilities of the Alabama state department of human resources, so as to provide for establishing rules and standards for inspection and approval of adult foster care homes and adult day care centers and homes.

On motion of Senator Hale, the Rules were suspended and further consideration of the Bill, HB 333, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., SB 351, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Waggoner, Wilson, and Windom
-27

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 351. To amend Section 6-2-8, Code of Alabama 1975, relating to the statute of limitations, so as to provide further for said statute of limitations regarding prisoners.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Waggoner, Wilson, and Windom
-27

Nays:

- 0

MOTION IN WRITING

Senator Ellis offered the following Motion in Writing, to-wit:

MOTION IN WRITING

Notice in Writing having been given on a previous legislative day, motion is now made to amend the Senate Rules as follows:

Amend the Senate Rules by striking the present Senate Rule 48 (b).

Which was read and referred to the Standing Committee on Rules.

BUDGET ISOLATION RESOLUTION

Senator Corbett, B.I.R., SB 642, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 642. To repeal Section 27-30-16, Code of Alabama 1975, which provides for reserve valuation law for cash benefits payable under policies issued by Mutual Aid Associations.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 688. Relating to the Board of Education of the City of Birmingham, Jefferson County, Alabama; providing for an increase in the membership to nine members and for the election of the members of the city board of education from the single-member districts as established for election of members of the council of said city.

was taken up.

On motion of Senator Amari, the Rules were suspended and further consideration of the Bill, SB 688, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Langford, B.I.R., SB 505, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 505. To amend Section 37-3-32 of the Code of Alabama 1975, relating to motor carrier fees paid to the public service commission, so as to provide further for such fees.

was taken up.

The Standing Committee on Commerce, Transportation, and Utilities reported the following amendment to the Bill, SB 505, to-wit:

AMENDMENT TO SB 505

Amend Senate Bill 505, on Page 2, Line 7, as follows:

by striking the amount "\$5.00" and inserting in lieu thereof the amount "\$6.00".

Which was adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

And said Bill, SB 505, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Lindsey, B.I.R., SB 306, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 306. To permit a domestic limited partnership to merge with one or more domestic limited partnerships, corporations or certain other business entities; to provide for the requirements, effects and procedures of merging said entities; to provide for certain filings and reports and the contents and effect of said filings and reports; to provide for service of process; and to provide for the vesting of certain rights, privileges, powers, property, liabilities and duties.

was taken up.

Senator Lindsey requested and received permission to suspend the Rules in order to bring up the Bill:

H. 392. To permit a domestic limited partnership to merge with one or more domestic limited partnerships, corporations or certain other business entities; to provide for the requirements, effects and procedures of merging said entities; to provide for certain filings and reports and the contents and effect of said filings and reports; to provide for service of process; and to provide for the vesting of certain rights, privileges, powers, property, liabilities and duties.

in place of the Bill, SB 306.

On motion of Senator Lindsey, the Rules were suspended and further consideration of the Bill, HB 392, was postponed subject to the call of the Chair.

On motion of Senator Lindsey, the Rules were suspended and further consideration of the Bill, SB 306, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Lipscomb, B.I.R., SB 347, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 347. To authorize any Class 2, 3, 4, 5, 6, 7 or 8 municipality, operating under a council-manager form of government or under a mayor-council-city manager form of government, to establish a council-manager form of government; to provide for an election for the qualified electorate to continue to operate under the council-manager form of government under this act or to choose the mayor-council form of government pursuant to Section 11-43-1, et seq. of the Code of Alabama 1975, which provides for the operation and administration of such governing body; to provide for the powers, duties and

responsibilities and terms of office for each form of government; to prescribe that any annexation and the present boundaries shall continue; to provide that the mayor and council members shall continue in office until the expiration of their current terms; to provide for the composition of the council and the number of single-member districts and for certain municipal officers; to preserve any current civil service or merit system; to provide for the transition of powers, duties and assets of any office, department, board, commission or agency where applicable, as well as the continuation of all contracts, public improvements, ordinances providing for civil or criminal penalties, the proceedings of the municipality, and resolutions; to provide for referendum procedures and the effective date; to provide for fiscal and budgetary matters of the governing body and municipality; to repeal any laws or parts of laws in conflict with this act; and to prescribe criminal penalties for violations.

was taken up.

Senator Lipscomb requested and received permission to suspend the Rules in order to bring up the Bill:

H. 396. To authorize any Class 2, 3, 4, 5, 6, 7 or 8 municipality, operating under a council-manager form of government or under a mayor-council-city manager form of government, to establish a council-manager form of government; to provide for an election for the qualified electorate to continue to operate under the council-manager form of government under this act or to choose the mayor-council form of government pursuant to Section 11-43-1, et seq. of the Code of Alabama 1975, which provides for the operation and administration of such governing body; to provide for the powers, duties and responsibilities and terms of office for each form of government; to prescribe that any annexation and the present boundaries shall continue; to provide that the mayor and council members shall continue in office until the expiration of their current terms; to provide for the composition of the council and the number of single-members districts and for certain municipal officers; to preserve any current civil service or merit system; to provide for the transition of powers, duties and assets of any office, department, board, commission or agency where applicable, as well as the continuation of all contracts, public improvements, ordinances providing for civil or criminal penalties, the proceedings of the municipality, and resolutions; to provide for referendum procedures and the effective date; to provide for fiscal and budgetary matters of the governing body and municipality; to repeal any laws or parts of laws in conflict with this act; and to prescribe criminal penalties for violations.

in place of the Bill, SB 347.

On motion of Senator Lipscomb, the Rules were suspended and further consideration of the Bill, HB 396, was postponed subject to the call of the Chair.

On motion of Senator Lipscomb, the Rules were suspended and further consideration of the Bill, SB 347, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Little, B.I.R., SB 101, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 101. To amend Sections 9-13-196 and 9-13-197, Code of Alabama 1975, relating to failure to pay certain assessments on forest lands, so as to provide further for the sale and redemption of said land and provide further for the retroactive repeal of local laws levying an acreage assessment.

was taken up.

On motion of Senator Corbett, the Rules were suspended and further consideration of the Bill, SB 101, was postponed temporarily.

BUDGET ISOLATION RESOLUTION

Senator Mitchell, B.I.R., SB 344, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,

Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 344. To amend section 11-91-8, Code of Alabama 1975, authorizing governing bodies of counties and municipalities to provide health insurance to their retired employees, so as to authorize them to allow retired employees of county and municipal agencies, boards or commissions or surviving spouses, beneficiaries and dependents of such retired employees to participate in the health insurance program.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Floyd, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -27

Nays:

- 0

POINT OF PERSONAL PRIVILEGE

Senator Mitchem requested and received permission to suspend the Rules in order to bring up the following House Message relative to the Bill, SB 111.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

S. 111. To provide for licensure and regulation of the home building industry; to provide for examination and issuance of licenses; to

provide for the Home Builders Licensure Board; to provide for licensing fees and penalties for violations; to authorize said board to prescribe administrative rules and regulations; to provide for revocation of licenses; to prescribe appellate procedure for board decisions and to exempt certain persons and entities from this act.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

On motion of Senator Mitchem, the Senate non-concurred in the following House amendment to the Bill, SB 111, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SB 111

Amend SB 111 on page 4, Section 7, line 28 by striking after the word

"with"

the following:

"or receives a bid for a residential dwelling from"

Also:

Amend Senate Bill 111 on Page 6, line 34 by adding after the word "Board" the word "Fund".

Further amend Senate Bill 111 on page 7, line 3 and 4, by deleting the words "and approved by the Governor".

Further amend Senate Bill 111 on page 4, line 27, by deleting the words "person, including an owner,".

Further amend Senate Bill 111 on page 7, line 4, by adding before the word "Any" the following:

"No funds shall be withdrawn or expended except as budgeted and allotted according to the provisions of Sections 41-4-80 through 41-4-96 and 41-19-1 through 41-19-12 of the Code of Alabama, 1975 and only in amounts as stipulated in the general appropriations bill or other appropriation bills."

Further amend Senate Bill 111 on page 12, line 11, by adding the following after the word "sale" and before the word "In":

"(6) any person making incidental non-structural repairs or maintenance."

(7) "Any person that holds a real estate brokers license."

Further amend Senate Bill 111 on page 7, line 11, by adding the following renumbering subsequent sections accordingly:

"Section 9. There is hereby appropriated from the Home Builders Licensure Board Fund to the Home Builders Licensure Board, for fiscal years 1990-91 and 1991-92, such amounts as are deemed necessary by the Home Builders Licensure Board to fund the costs of this program."

and requested a Committee on Conference.

Yeas 20 Nays 6

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Denton, Dixon, Ellis, Foshee, Ghee, Lipscomb, Little, Mitchell, Mitchem, Owens, Prewitt, Smith (J), Waggoner, and Windom -20

Nays:

Senators:

Corbett, Floyd, Langford, Lindsey, Parsons, and Sanders - 6

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Senators Mitchem, Barron, and Windom.

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., SB 390, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Prewitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 390. To prohibit "hunting tournaments" as defined herein; to provide for certain exceptions; and to provide penalties for the violation thereof.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Dixon, B.I.R., SB 508, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 508. To provide further for the investment of the public employees' individual retirement account fund; and to amend Section 36-27A-4 of the Code of Alabama 1975.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Dixon, B.I.R., SB 465, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 465. To amend sections 30-3-61 and 30-3-62, Code of Alabama 1975, relating to child support withholding orders, so as to require the employer to remit to the clerk of the court, the department, or its designee the child support withheld within 10 days of the date the obligor is paid; to provide that payments withheld shall be paid over by the employer in accordance with section 30-3-61(b), Code of Alabama 1975; to specify the requirements for termination of withholding orders; and to require prompt termination of withholding when criteria are met; to amend section 30-3-94, Code of Alabama 1975, relating to the Interstate Income Withholding Act, so as to provide for immediate wage withholding on interstate child support cases.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., SB 646, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 646. To authorize each county in the state to acquire, own and operate one or more jails, prisons or other criminal detention facilities; to grant to each county the power to enter into agreements with other governmental entities pursuant to which inmates are transferred from other jurisdictions to be incarcerated within a facility maintained by such county; to specify the conditions under which each county may enter into such agreements with governmental entities located outside the state of Alabama; to provide for the respective responsibilities of the sheriff of each county and the county commission of each county with respect to the maintenance and operation of any such facility; to authorize said sheriff and said county commission to delegate or assign all or a portion of such responsibilities to others pursuant to contract; to provide for a referendum of the voters of any county on the question of whether this act will become effective in such county; to provide for the disposition of the net revenues received by any county from the operation of any jail, prison or other criminal detention facility pursuant to this act; to grant certain rights and powers to the Alabama department of

corrections and the commissioner thereof with respect to the approval of any such facility and the monitoring of the operation thereof; and to provide that any contracts entered into by a county or by a sheriff of a county pursuant to the provisions of this act shall be exempt from competitive bid laws.

was taken up.

The Standing Committee on Governmental Affairs/Local Government reported the following substitute for the Bill, SB 646, to-wit:

SUBSTITUTE FOR SB 646

A B I L L T O B E E N T I T L E D A N A C T

To authorize each county in the state to acquire, own and operate one or more jails, prisons or other criminal detention facilities; to grant to each county the power to enter into agreements with other governmental entities pursuant to which inmates are transferred from other jurisdictions to be incarcerated within a facility maintained by such county; to specify the conditions under which each county may enter into such agreements with governmental entities located outside the state of Alabama; to provide for the respective responsibilities of the sheriff of each county and the county commission of each county with respect to the maintenance and operation of any such facility; to authorize said sheriff and said county commission to delegate or assign all or a portion of such responsibilities to others pursuant to contract; to provide for a referendum of the voters of any county on the question of whether this act will become effective in such county; to provide for the disposition of the net revenues received by any county from the operation of any jail, prison or other criminal detention facility pursuant to this act; to grant certain rights and powers to the Alabama department of corrections and the commissioner thereof with respect to the approval of any such facility and the monitoring of the operation thereof; and to provide that any contracts entered into by a county or by a sheriff of a county pursuant to the provisions of this act shall be exempt from competitive bid laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The legislature hereby finds and declares that there currently exists a critical shortage of available prison space within the state that the state does not have available to it at this time the moneys

needed to provide for the immediate construction of new prison facilities to meet all of the existing needs of the state; that the state and its residents would derive substantial benefits from the construction and operation of new jails or prisons by or on behalf of one or more of the counties in the state; and that it is appropriate, desirable and in the best interest of the state and its residents for the legislature to grant certain additional powers to each county to enable it to undertake the acquisition, construction and operation of one or more jail or prison projects.

Section 2. Unless the context clearly indicates a different meaning, the following words and phrases as used in this act shall have the following respective meanings:

(1) **ACQUISITION INDEBTEDNESS.** With respect to any jail, any debt obligations issued by a county or by a public corporation or other entity acting on behalf of a county, to finance all or a portion of the costs of acquiring, constructing, equipping and furnishing such jail.

(2) **ALABAMA TRANSFERRING ENTITY.** The state or any agency, instrumentality or political subdivision thereof.

(3) **COMMISSIONER.** The commissioner of the department of corrections appointed by the governor of the state pursuant to section 14-1-1.3, Code of Alabama 1975.

(4) **COUNTY.** Any county in the state of Alabama.

(5) **COUNTY COMMISSION.** With respect to any county, the governing body of such county.

(6) **DEPARTMENT.** The Alabama department of corrections established pursuant to Section 14-1-1.1, Code of Alabama 1975.

(7) **INMATE CONFINEMENT AGREEMENT.** Any agreement between a county and a transferring entity in which the county agrees to incarcerate within any jail that it operates inmates from such transferring entity in consideration of payments to the county in such amounts as shall be specified in such agreement.

(8) **JAIL.** Any jail, prison or other criminal detention facility, and includes any land or other real or personal property that is deemed by the county commission of the county in which such facility is located to be needed for the safe and efficient operation thereof.

(9) **NET REVENUES.** With respect to any jail:

a. So long as any acquisition indebtedness incurred with respect to such jail remains outstanding, any fees payable to the county pursuant to the agreements or instruments that provided for the issuance of such acquisition indebtedness; and

b. After the payment and retirement of all acquisition indebtedness incurred with respect to such jail, the total revenues derived by the county from the operation of such jail less all related costs of operation and maintenance.

(10) NON-ALABAMA TRANSFERRING ENTITY.

a. The United States of America or any agency or instrumentality thereof;

b. Any state, other than the state of Alabama, or any agency or instrumentality thereof; or

c. The District of Columbia or any agency or instrumentality thereof.

(11) PERSON. Any natural person, corporation, partnership, joint venture, trust, government or governmental body, political subdivision or other legal entity as in the context may be possible or appropriate.

(12) SPECIFIED CRIME. Subject to the provisions of Section 7:

a. Any crime which, if committed in the state, would constitute a capital offense, as such term is defined in section 13A-5-39, Code of Alabama 1975, and used in section 13A-5-40, Code of Alabama 1975;

b. Any sexual offense involving a victim under sixteen years of age, regardless of whether or not such offense involved force or serious physical injury or death; or

c. Any felony committed while incarcerated in any type of detention facility located in the state, any other state or the District of Columbia.

(13) STATE. The state of Alabama.

(14) TRANSFERRING ENTITY. Any Alabama transferring entity or any non-Alabama transferring entity.

Section 3. Subject to the requirements and limitations contained

in this act, including the provisions of Section 8, each county is hereby authorized to acquire by purchase, lease or other method, construct, own and operate one or more jails. Without limiting the generality of the foregoing grant of power, each county is authorized to provide for the payment of the costs of acquiring, constructing, furnishing and equipping any jail through an issuance of revenue warrants by a county public building authority incorporated pursuant to chapter 15 of Title 11 of the Code of Alabama 1975. Provided, however, any jail so financed is leased to such county pursuant to a lease agreement that satisfies the conditions set forth in section 11-15-8, Code of Alabama 1975; and provided further, title to such jail shall vest in the county upon the payment in full of the revenue warrants issued to finance the costs thereof. Prior to the commencement of the construction of any jail to be acquired by a county, the county commission of such county shall adopt a resolution stating that:

(1) Such county commission has found and determined that the construction of such jail and the acquisition thereof by such county are desirable and in the best interest of such county and its residents; and

(2) Such county commission has reviewed and approved the plans and specifications for such jail.

Section 4. (a) Each county in which the provisions of this act have become effective pursuant to Section 8 of this act may incarcerate within any jail that it owns or operates any persons that may lawfully be confined therein as a result of being charged with or convicted of violating any criminal statute, regulation, ordinance or other law of the state of Alabama or any political subdivision thereof, the United States of America, or any other state or any political subdivision thereof. Any such county and any transferring entity may enter into one or more contracts in which such county may agree to incarcerate within any jail that it operates inmates from such transferring entity in consideration of payments to such county in such amounts as shall be specified in any such contract or contracts. A county may not enter into an inmate confinement agreement with a non-Alabama transferring entity unless the following conditions are satisfied:

(1) The sheriff of such county must find and determine that the total number of inmates from within such county and from Alabama transferring entities that are to be incarcerated, during the then ensuing 12-month period, within the jail or jails then operated by such county is less than 95 percent of the total capacity of such jail or jails; and

(2) Any inmate confinement agreement between a county and a

non-Alabama transferring entity must provide that no inmate who has been convicted of committing a specified crime may be transferred to the county pursuant to such agreement.

(b) Any inmate confinement agreement entered into by a county shall be executed and delivered, on behalf of such county, by its sheriff.

(c) The commissioner is hereby authorized to investigate and review, from time to time, any or all inmate confinement agreements between any county and non-Alabama transferring entities to ensure that the conditions set forth in subsection (b) above have been satisfied with respect to each agreement. If, as a result of any such investigation and review, the commissioner determines that a county has entered into an inmate confinement agreement with a non-Alabama transferring entity and that all of the conditions set forth in subsection (b) above were not satisfied with respect to such agreement, then the commissioner shall have the power and authority to either:

(1) Order such county to terminate such agreement within the 30-day period beginning on the date of such order or to amend such agreement during such period in such a manner that the amended agreement will satisfy the applicable conditions contained in subsection (b) above; or

(2) Declare such agreement to be void with any such declaration to have the legal effect of terminating the rights and obligations of the respective parties under such agreement as of the date of such declaration.

(d) Each county shall have the power and authority to pledge the revenues derived from inmate confinement agreements, or any portion of such revenues, to secure the payment of any obligations incurred by the county in connection with the acquisition or operation of the related jail.

Section 5. The sheriff of each county shall continue to be responsible for the maintenance and operation of any jail or portion thereof that is utilized by the county to fulfill its general obligation to provide and maintain a county jail. Said sheriff may discharge such responsibility by performing, either directly or through agents, the various duties related thereto or by entering into one or more contracts with other persons in which they agree to perform such duties.

Section 6. The county commission shall be responsible for the maintenance and operation of any jail or portion thereof that is utilized by the county to house inmates transferred from transferring entities or

for other purposes unrelated to the county's general obligation to provide and maintain a county jail. The county commission may discharge such responsibility by causing employees or agents of the county to perform the various duties related thereto or by entering into one or more contracts with other persons in which they agree to perform such duties.

Section 7. Notwithstanding any provision of this act to the contrary, there can be no inmate confinement agreement between the county and a non-Alabama transferring entity for the incarceration of any inmate who has ever been convicted at any time of or is now to be incarcerated for any of the following:

- (1) Any capital offense;
- (2) Any felony involving the use, attempted use, or threat of, violence to a person;
- (3) Any felony involving serious physical injury or death of a person;
- (4) Any felony involving arson of any type;
- (5) Any felony involving drug trafficking;
- (6) Any felony committed while incarcerated in any type of detention facility anywhere in the United States;
- (7) Any sexual crimes which if committed within this state would constitute a sexual offense enumerated in Sections 13A-6-60 through 13A-6-70, Code of Alabama 1975, including any subsequent amendments to or recodifications of said sexual offenses;
- (8) Any crime involving danger to the person which if committed within this state would constitute an offense involving danger to the person as set forth in Title 13A, Chapter 6, Code of Alabama 1975, including any subsequent amendments to or recodification of said offenses; and
- (9) Any offenses not listed above involving violent behavior, including, but not limited to child abuse or child molestation.

Section 8. The county commission of any county may call and provide for holding a referendum for the purpose of determining if the provisions of this act shall be effective with respect to such county. The initial referendum shall be held not less than 45 days nor more than one

year after the effective date of this act and shall be advertised, held, conducted and the results thereof canvassed and declared in the manner provided by law for advertising, holding, conducting and canvassing other county elections and as said county commission shall provide in the resolution calling such election. The question to be voted on shall be stated on the ballots or voting machine tags substantially as follows:

"Do you favor authorizing _____ County to acquire, construct, own and operate one or more jails, prisons or other criminal detention facilities, in addition to its existing county jail, and to incarcerate within any such facility inmates transferred from other jurisdictions, including jurisdictions located outside the state of Alabama, all in accordance with the provisions of Act No. _____, S. ____, 1991 Regular Session of the Legislature of Alabama? Yes () No ()"

If the majority of the votes cast in any referendum are "Yes," this act shall become effective with respect to the county conducting such referendum, and such county shall be authorized to exercise all of the powers granted by this act. If the majority of the votes cast in such election are "No," this act shall have no further effect with respect to such county, unless the county commission thereof should later call another referendum. One or more subsequent referenda may be called by the county commission of any county if the question submitted at the initial or any subsequent referendum fails to receive a majority of favorable votes. Provided, however, not more than one referendum may be called by any county commission in each calendar year. The results of any referendum conducted for a county pursuant to this act shall be certified to the secretary of state, within 30 days after the election returns are canvassed, by the officer then authorized by law to certify proceedings taken by the judge of probate, board of canvassers or other body or official then required by law to canvass and declare the results of elections held in such county.

Section 9. (a) Each county in which the provisions of this act become effective as a result of a favorable vote in a referendum conducted pursuant to Section 8 of this act shall establish a special project account with respect to each jail operated by such county pursuant to the provisions hereof and shall cause all of the revenues received by such county with respect to such jail to be paid into such account and all of the expenses incurred by the county with respect to the operation and maintenance of such jail to be paid from such account. The net revenues received by any county during any fiscal year with respect to any jail shall be allocated and distributed, no later than 90 days after the end of such fiscal year, in the following manner:

- (1) Fifty percent of such net revenues shall be allocated to the

county in which such jail is located and shall be deposited into its general fund;

(2) Twenty-five percent of such net revenues shall be allocated and distributed to the county board of education of such county; and

(3) Twenty-five percent of such net revenues shall be allocated to the incorporated municipalities located in such county and shall be distributed to such municipalities in proportion to their respective populations as determined by the most recent federal decennial census.

(b) Following the payment and retirement of all acquisition indebtedness incurred with respect to any jail, the county commission of the county in which such jail is located may, from time to time, provide by resolution for an allocation of the net revenues from such jail that differs from the allocation described in the preceding subsection. Provided, however, any such allocation established by such county commission must provide that each entity receiving any portion of such net revenues may not receive less, with respect to any fiscal year, than the lesser of:

(1) The amount that would be allocated to such entity pursuant to the formula set forth in the preceding subsection; or

(2) The amount allocated to such entity for the fiscal year immediately preceding the date of final payment and retirement of such acquisition indebtedness.

Section 10. (a) The department is hereby authorized and directed to review the plans and specifications for any jail to be constructed by or on behalf of any county prior to the commencement of the construction thereof. The approval of such plans and specifications by the department, which approval shall be granted if, and only if, the department determines that such plans and specifications conform to its then applicable standards and requirements for new prison construction, shall be a condition precedent to a county's authority to proceed with the construction of such jail. In addition to such initial review, the department shall have the right to inspect and examine such jail from time to time during the construction thereof in order to ensure adherence to the plans and specifications therefor. Upon the completion of construction of any jail, the county in which such jail is located may not commence the operation thereof unless and until it has received from the department a certificate stating that:

(1) Such jail has been inspected, following the completion of its

construction, by an authorized representative of the department; and

(2) Such representative found that such jail had been constructed substantially in accordance with the plans and specifications therefor and in conformity with the department's standards for prison construction.

(b) The department shall have the right to inspect, from time to time, any jail operated by or on behalf of a county and to investigate, from time to time, the manner in which such jail is being operated. Any such inspection or investigation may include a review of any matters deemed pertinent by the department, including, without limitation, the number and qualifications of the members of the staff at such jail, the then current condition of the physical facilities at such jail and the provisions being made at such jail for health care, education and security. If, as a result of any such inspection or investigation, the department concludes that such jail is not being operated in conformity with its then applicable standards for prison operation, the department shall have the right to order that corrective measures be taken and to enforce any such order through a civil action instituted in the circuit court of Montgomery County.

(c) The department shall be entitled to reimbursement from the related county for the costs and expenses incurred by it in performing the various duties imposed on it by this act.

Section 11. Any person working at a jail operated pursuant to this act as an officer or guard or in any other capacity related to the security of such jail or any part thereof or the custody or transportation of prisoners shall be deemed to be a law enforcement officer for purposes of being entitled to attend one or more of the training academies certified by the Alabama Peace Officers' Standards and Training Commission pursuant to article 3 of chapter 21 of Title 36 of the Code of Alabama 1975 and shall be post certified by said commission. Preference in employment shall be given to county residents who have lived within the county for at least one year prior to employment. At least fifty percent (50%) of the employees shall be residents of the county in which such facility is located.

Section 12. Any contracts entered into by a county or by a sheriff pursuant to or in furtherance of the objectives of the provisions of this act shall be exempt from the laws of the state that require competitive bids for public contracts.

Section 13. The provisions of this act are cumulative and shall not be deemed to repeal existing laws, except to the extent that such laws

are clearly inconsistent with provisions of this act. This act shall be construed liberally to effect its purposes and neither this act nor anything herein contained is or shall be construed as a restriction or limitation upon any powers which a county might otherwise have under any laws of the state.

Section 14. In the event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act, which shall continue effective.

Section 15. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

And said Bill, SB 646, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari requested and received permission to suspend the Rules in order to bring up the Bill, SB 651.

Senator Amari, B.I.R., SB 651, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 651. Relating to the compensation of certain department heads or members of the governor's cabinet.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 22 Nays 3

Yeas:

Senators:

Amari, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Mitchem, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -22

Nays:

Senators:

Bailey, Little, and Sanders

- 3

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., SB 510, adopted.

Yeas 24 Nays 2

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Windom -24

Nays:
Senators:
Corbett and Little

- 2

BILLS ON THIRD READING RESUMED

THE BILL:

S. 510. To amend Section 37-1-11 of the Code of Alabama 1975, relating to compensation of the public service commissioners, so as to update said code section in order to include current salaries received by such commissioners; to provide for a method of periodically reviewing the salaries of the public service commissioners by the state personnel department; to provide for a recommendation by the personnel department to the governor concerning said commissioners' salaries; to provide for either an approval or disapproval of a salary increase as determined by the governor; to provide for terminating a \$670.00 per month expense allowance and in lieu thereof increasing the salary of the commissioners \$670.00 per month on different, future effective dates.

On motion of Senator Hale, the Rules were suspended and further consideration of the Bill, SB 510, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Smith (J), B.I.R., SB 423, adopted.

Yeas 28 Nays 0

Yeas:
Senators:
Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 423. To amend Section 41-9-374, Code of Alabama 1975, relating to appropriation to the Alabama Commissioners on Uniform State Laws, so as to remove from the act the limitation on the dollar

amount, and to allow the dollar amount to be set each year as a budget item.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BILLS ON THIRD READING RESUMED

Senator Smith (B) requested and received permission to suspend the Rules in order to bring up the Bill, SB 385, to-wit:

S. 385. To further provide for payroll deductions for public officers and employees, so as to establish an annual Alabama State Employees Combined Charitable Campaign; to repeal Section 36-1-4.1, Code of Alabama 1975, as amended, relating to local United Way agencies and certain other health charities and payroll deductions.

was taken up.

On motion of Senator Smith (B), the Rules were suspended and further consideration of the Bill, SB 385, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Waggoner requested and received permission to suspend the Rules in order to bring up the Bill, SB 186.

Senator Waggoner, B.I.R., SB 186, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb,

Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B),
Smith (J), Waggoner, Wilson, and Windom -28

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 186. To establish early intervention services for infants and toddlers with disabilities and their families; to establish a state interagency coordinating council; to establish the responsibilities of the lead agency and authorize it to implement Part H of Public Law 99-457 in conjunction with the participating agencies and providers; and to provide timetables for implementation of a statewide, comprehensive, interagency, coordinated system of early intervention services.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays: - 0

RESOLUTION

Senator Bennett requested and received permission to suspend the Rules to offer the following Senate Joint Resolution, to-wit:

SJR 150. NAMING THE MARTIN LUTHER KING, JR., HIGHWAY IN BESSEMER, ALABAMA.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the portion of the Bessemer Super Highway within the city limits of Bessemer, Alabama, is hereby named in honor of the late Martin Luther King, Jr., and is officially designated as the "Martin Luther King, Jr., Highway."

BE IT FURTHER RESOLVED, That the proper officials are

herein authorized to erect and maintain appropriate signs and markers so designating said highway portion as the "Martin Luther King, Jr., Highway."

BE IT FURTHER RESOLVED, That this resolution takes precedence over any other resolution on this subject passed in the 1991 Regular Session of the Legislature and voids same.

On motion of Senator Bennett, the Rules were suspended and the Resolution was adopted by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Lindsey, B.I.R., SB 406, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 406. To authorize the State Board of Health to expend not more than \$1.5 million annually to make liability insurance premium grants to family practitioners, pediatricians and obstetricians who establish obstetrical practices in rural or underserved areas; to establish a maximum limit for the grant and authorize the State Board of Health to annually adjust such maximum limit to allow for annual premium increases; to establish criteria for eligibility; and for other purposes.

was taken up.

The Standing Committee on Health reported the following substitute for the Bill, SB 406, to-wit:

SUBSTITUTE FOR SB 406

A B I L L T O B E E N T I T L E D A N A C T

To authorize the State Board of Health to expend not more than

\$1.5 million annually to make liability insurance premium grants to family practitioners, pediatricians and obstetricians who establish obstetrical practices in rural or underserved areas; to establish a maximum limit for the grant; to establish criteria for eligibility; and for other purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature recognizes the shortage of and the decline in obstetrical care in the rural areas of the state and the hardship imposed on those who are required to travel many miles to obtain the necessary prenatal care and ultimately delivery at term. The Legislature further recognizes the high infant mortality rates that are attributed in part to inadequate care during pregnancy, delivery, and necessary care after delivery. The Legislature further recognizes that the reduction in available care and services is attributed in part to high liability insurance premiums. It is the intent of the Legislature that an appropriation be made to the State Board of Health to provide grants for family practitioners, pediatricians and obstetricians to increase availability of obstetrical and pediatric services and to subsidize the difference in existing insurance premiums and the amount required for obstetrical and pediatric practice.

Section 2. The State Board of Health is hereby authorized to expend the sum of \$1,500,000.00, of which \$1,200,000.00 is to be used to subsidize malpractice liability insurance premiums and \$300,000.00 is to be held by the agency as escrow for the fiscal year to cover premium increases. Appropriations made pursuant to this act shall be in addition to any other appropriation to the board.

Section 3. The maximum grant per physician shall not exceed \$30,000.00 annually. This grant shall be available to physicians in family practice who provide obstetrical services in rural and underserved areas, obstetricians and pediatricians willing to locate their practice in the rural and underserved areas and obstetricians who have discontinued their obstetrical practice a minimum of six months immediately preceding application and reinstate services in rural and underserved areas for such funds. Such grants shall be available to obstetricians and pediatricians for a period not to exceed five years. This limitation shall not apply to family practice physicians. National Health Service Corps Physicians terminating federal obligations and agreeing to locate and provide care in an underserved area may also be eligible. Physicians subject to the grant shall agree to participate and provide care to low income patients.

Section 4. The State Board of Health is hereby authorized to administer the grant program and establish the appropriate rules necessary to establish new obstetrical services and set additional criteria necessary to alleviate the problems in the rural areas to reduce the high infant mortality rates. The State Board of Health is further authorized to contract with the physicians to provide obstetrical and pediatric services for the health department and may provide the necessary liability insurance premiums.

Section 5. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Barron, said substitute was laid on the table.

On motion of Senator Barron, the Rules were suspended and further consideration of the Bill, SB 406, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Parsons requested and received permission to suspend the Rules in order to bring up the Bill, SB 371.

Senator Parsons, B.I.R., SB 371, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 371. To provide that for any law which results in a net

increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated cost of said law, to provide for the method of determining said appropriations, to provide for inclusion of said amount in the budget, to provide for the use of said funds and to provide any act enacted without said funding requirement shall be null and void.

was taken up.

On motion of Senator Dixon, the Rules were suspended and further consideration of the Bill, SB 371, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Wilson, B.I.R., SB 440, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 440. To amend Section 2-6A-1, Code of Alabama 1975, relating to the Farm Crisis and Transition Program, so as to abolish the existing program; to repeal Sections 2-6A-2, 2-6A-3, 2-6A-4, 2-6A-5 and 2-6A-6, Code of Alabama 1975; to provide for the transfer of all personnel, equipment and files from the Farm Crisis and Transition Commission into the Department of Agriculture and Industries; and to allow the Commissioner of Agriculture and Industries to establish a new program and to accept contributions from any public or private source.

was taken up.

On motion of Senator Wilson, the Rules were suspended and further consideration of the Bill, SB 440, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Windom, B.I.R., SB 78, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 78. Relating to motor vehicle insurance policies issued in Alabama to provide for mandatory premium reductions for the liability, personal injury protection and collision coverages for certain age groups under certain conditions.

was taken up.

Senator Windom offered the following substitute for the Bill, SB 78, to-wit:

SUBSTITUTE FOR SB 78**A B I L L
T O B E E N T I T L E D
A N A C T**

Relating to motor vehicle insurance policies issued in Alabama, to provide for mandatory premium reductions for the liability, personal injury protection and collision coverages for certain age groups under certain conditions, to limit the application of said discounts and to exempt certain insurers from the provisions of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Any rates, rating schedules or rating manuals for the liability, personal injury protection and collision coverages of a

motor vehicle insurance policy submitted to or filed with the commissioner of insurance of Alabama shall provide for an appropriate reduction in premium charges for a three-year consecutive period for such coverages when the principal operator of the covered vehicle:

(1) Is an insured driver 55 years or older; and

(2) Has successfully completed a motor vehicle accident prevention course approved by the motor vehicle division of the department of public safety.

(b) Any discount used by the insurer pursuant to this section shall be presumed appropriate unless credible data demonstrates otherwise.

(c) No discount provided by this act shall be applied more than once on each policy for any reason and the person completing the approved motor vehicle accident prevention course shall be entitled to the discount only on one owned motor vehicle.

Section 2. The premium reduction required by Section 1 shall be effective for an insured for a three-year period after successful completion of the approved course, except that the insurer may require, as a condition of maintaining the discount, that the insured:

(1) Not be involved in an accident for which the insured is at fault; and

(2) Not be convicted or plead guilty or nolo contendere to a moving traffic violation.

Section 3. Upon successfully completing the approved course, each person shall be issued a certificate by the organization offering the course which shall be used to qualify for the premium discount required by Section 1 of this act.

Section 4. The provisions of this act do not apply in the event the approved course is ordered by a court or other governmental entity resulting from a moving traffic violation or made a condition of the dismissal of a moving traffic violation.

Section 5. Each participant shall take an approved course every three years in order to continue to be eligible for the reduction in premiums.

Section 6. Insurers who offer a separate discount which is based

upon the age of persons who are fifty-five years of age or older or upon their driving record, are exempt from the provisions of this act and are not required to make an additional filing with the Department of Insurance as a result of the discount required by this act.

Section 7. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are hereby repealed.

Section 9. This act shall become effective one hundred and twenty (120) days after its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

And said Bill, SB 78, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

RULE 35 SUSPENDED

On motion of Senator Windom, the provisions of Rule 35 (b) were

suspended to allow transmittal to the House of the Bills, SB's 358, 351, 642, 505, 344, 390, 508, 465, 646, 651, 423, 186, and 78.

BUDGET ISOLATION RESOLUTION

Senator Barron, B.I.R., SB 535, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 535. To create a Permanent Joint Legislative Committee on Finances and Budgets, to meet during the interim periods between regular sessions of the Legislature; and to provide for its duties, powers, membership and compensation.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

FURTHER CONSIDERATION OF SB 406

The Senate proceeded to further consideration of the Bill, SB 406.

Senator Barron offered the following amendment to the Bill, SB 406, to-wit:

AMENDMENT TO SB 406

On page 1, on lines 8 and 9, delete the language "Board of Health" and insert in lieu thereof:

Medicaid Agency

On page 1, on line 19, delete the language "Board of Health" and insert in lieu thereof:

Medicaid Agency

On page 1, on line 24, delete the language "Board of Health" and insert in lieu thereof:

Medicaid Agency

On page 2, on line 5, delete the language "Board of Health" and insert in lieu thereof:

Medicaid Agency

On page 2, on line 10, delete the language "Board of Health" and insert in lieu thereof:

Medicaid Agency

On page 2, on line 18, delete the language "Board of Health" and insert in lieu thereof:

Medicaid Agency

On page 3, on line 3, delete the language "Board of Health" and insert in lieu thereof:

Medicaid Agency

On page 3, on line 8, delete the language "Board of Health" and insert in lieu thereof:

Medicaid Agency

Which was adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

And said Bill, SB 406, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill, SB 628.

Senator Bedsole, B.I.R., SB 628, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 628. To amend Section 11-50-342 of the Code of Alabama 1975, relating to the membership of the board of water and sewer

commissioners so as to provide further for an increase in said membership.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

MOTION TO ADJOURN

Senator Preuitt moved that when the Senate adjourns today it adjourn to meet again on Wednesday, July 17, 1991, at 12:01 A.M., which motion was adopted.

RECESS

At 11:57 P.M., Senator Corbett moved that the Senate take a recess until 12 o'clock Midnight, which motion was adopted.

ADJOURNMENT

The hour of Midnight having arrived, in accordance with Motion heretofore adopted, the Senate adjourned until Wednesday, July 17, 1991, at 12:01 A.M.

TWENTY-EIGHTH LEGISLATIVE DAY

WEDNESDAY, JULY 17, 1991

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by Senator Don Hale, Fourth Senatorial District.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Barry Robertson, Jacksonville University.

ROLL CALL

Present:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-34

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM PREUITT,
Chairperson.

COMMITTEE REPORT

On motion of Senator Preuitt, the foregoing report was concurred in and approved by the Senate.

JOURNAL

And on motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same adopted by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senator Dial for today.

BUDGET ISOLATION RESOLUTION

Senator Preuitt requested and received permission to suspend the Rules in order to bring up the Bill, HB 11.

Senator Preuitt, B.I.R., HB 11, adopted.

Yeas 28 Nays 1

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nay: Senator Sanders

- 1

BILLS ON THIRD READING**THE BILL:**

H. 11. Relating to Athens State College; to repeal Act No. 81-153, S. 392, Regular Session, 1981 (Acts 1981, p. 176), which consolidated the administration of Athens State College and John C. Calhoun Community College; to re-establish two autonomous administrations; and to provide for the appointment of presidents of the colleges, the jurisdictions and operations.

was read a third time at length and passed.

Yeas 30 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Windom -30

Nays:

- 0

RULE 35 SUSPENDED

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill's, SB's 77, 497, 535, 406, and 628.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

SR 151. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bill shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-eighth legislative day of the 1991 Regular Session only:

Inst Id	Page
H. 204	142
General fund, for ordinary expenses of executive, legislative, and judicial agencies of the st.	

On motion of Senator Preuitt, the Resolution was adopted by the Senate.

RECESS

At 12:25 A.M., Senator deGraffenried moved that the Senate take a recess until 11 o'clock A.M., which motion was adopted.

At 11 o'clock A.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

BUDGET ISOLATION RESOLUTION

Senator Mitchell requested and received permission to suspend the Rules in order to bring up the Bill, HB 947.

Senator Mitchell, B.I.R., HB 947, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 947. To alter or rearrange the boundary lines of the City of Ozark, Dale County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territories contiguous thereto, in Dale County, Alabama, and to provide for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchell then requested and received permission to suspend the Rules in order to bring up the Bill, HB 948.

Senator Mitchell, B.I.R., HB 948, adopted.

Yeas 25 Nays 0

REGULAR SESSION
28th Day

2211

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 948. To alter or rearrange the boundary lines of the city of Ozark, Dale County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territories contiguous thereto, in Dale County, Alabama.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchell then requested and received permission to suspend the Rules in order to bring up the Bill, HB 949.

Senator Mitchell, B.I.R., HB 949, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 949. To alter or rearrange the boundary lines of the Town of Newton, Dale County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territories contiguous thereto, in Dale County, Alabama.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchell then requested and received permission to suspend the Rules in order to bring up the Bill, HB 977.

Senator Mitchell, B.I.R., HB 977, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 977. To alter or rearrange the boundary lines of the City of

**REGULAR SESSION
28th Day**

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Daleville, Dale County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territories contiguous thereto, in Dale County, Alabama.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Dixon requested and received permission to suspend the Rules in order to bring up the Bill, SB 701.

Senator Dixon, B.I.R., SB 701, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Floyd, Foshee, Ghee, Hale, Langford, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 701. Relating to Montgomery County; providing further for the expense allowance and compensation of the sheriff.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, SB 701, to-wit:

AMENDMENT TO SB 701

Amend Senate Bill 701, page 1, Section 2, line 32, after the word

"year." by inserting the following:

"Provided, however, said amount shall not exceed \$2,400.00 per annum."

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Floyd, Foshee, Ghee, Hale, Langford, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

And said Bill, SB 701, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Floyd, Foshee, Ghee, Hale, Langford, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

FURTHER CONSIDERATION OF SB 75

The Senate proceeded to further consideration of the Bill:

S. 75. To amend Sections 32-6-250 and 32-6-251, Code of Alabama 1975, which provide distinctive license plates for Medal of Honor Recipients and Prisoners of War, so as to include recipients of the Purple Heart Medal.

as amended, which said amendment is set out in the Journal of the Senate for the Eighth Legislative Day.

Senator Smith (J) offered the following substitute for the Bill, SB 75, as amended to-wit:

SUBSTITUTE FOR SB 75

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 32-6-250 and 32-6-251, Code of Alabama 1975, which provide distinctive license plates for Medal of Honor Recipients and Prisoners of War, so as to include recipients of the Purple Heart Medal.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 32-6-250 and 32-6-251, Code of Alabama 1975, are hereby amended to read as follows:

"§32-6-250.

"A distinctive permanent license plate shall be issued to any resident of the state who is a recipient of the Medal of Honor or the Purple Heart Medal or who is a duly recognized American prisoner of war, or who is an American who was a duly recognized prisoner of war while serving with a formal American ally force, for use on a private motor vehicle registered in the recipient's name. There shall be no fee or tax for ~~such~~ the Medal of Honor license plate but no recipient shall receive a plate for more than one vehicle. Applicants for the Purple Heart Medal license plate shall pay to the issuing officer the regular license tax prescribed by law but shall not pay any additional fee."

"§32-6-251.

"The special plates shall be of the same size as regular motor vehicle license plates, distinguished by the letters MOH or PHM to be of a different color scheme and design to any other vehicle tag in this state, or POW to be of the same color scheme as other distinguished military tags in this state, whichever distinctive design applies, the nature of which shall be prescribed by a committee to be appointed by the chief legislative sponsors of this division."

Section 2. This act shall become effective October 1, 1992, after its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20 Nays 1

Yeas:

Senators:

Bennett, Bolling, Corbett, Denton, Dixon, Foshee, Ghee, Horn,

Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nay: Senator Floyd - 1

And said Bill, SB 75, as amended by the substitute, was read a third time at length and passed and ordered sent forthwith to the House upon engrossment.

Yeas 20 Nays 1

Yeas:

Senators:

Bennett, Bolling, Corbett, Denton, Figures, Foshee, Ghee, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuit, Sanders, Smith (B), Smith (J), Wilson, and Windom -20

Nay: Senator Floyd - 1

BUDGET ISOLATION RESOLUTION

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill, HB 818.

Senator Little, B.I.R., HB 818, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Sanders, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 818. Relating to Lee County; authorizing the county commission to levy an additional ad valorem tax outside the corporate limits of the cities of Auburn and Opelika; and providing for a referendum for approval of the tax by the qualified electors of the area.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Sanders, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Little then requested and received permission to suspend the Rules in order to bring up the Bill, HB 894.

Senator Little, B.I.R., HB 894, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Sanders, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 894. Relating to Lee County; to prohibit the placing of political signs, markers and advertising, on county controlled highways except for those signs or markers placed by or under the authority of the county.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Sanders, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Little then requested and received permission to suspend the Rules in order to bring up the Bill, HB 952.

Senator Little, B.I.R., HB 952, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Sanders, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 952. Relating to Tallapoosa County; providing for the mode of establishing the construction, maintenance and repair of public roads, highways, bridges and ferries under a modified county unit system; authorizing and requiring the county commission to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, bridges and ferries of Tallapoosa County; and specifically repealing Act No. 88-121, H. 437, 1988 Regular Session.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Sanders, Wilson, and Windom -25

Nays:

- 0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, and finds same correctly enrolled, to-wit:

SJR 22. CREATING A COMMITTEE TO STUDY AND PROVIDE FOR THE ERECTION OF A VIETNAM VETERANS MONUMENT ON THE STATE CAPITOL GROUNDS.

Also:

SJR 110. FORBIDDING THE STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES FROM POSTING "NO SKIING" SIGNS ON FOWL RIVER IN MOBILE COUNTY.

Also:

SJR 121. DECLARING THE LEGISLATIVE INTENT REGARDING THE PASSAGE OF ACT NO. 90-560.

JIM PREUITT,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 455. Relating to Lowndes County; providing further for the

compensation of the county coroner and repealing Act No. 620, H. 795, 1967 Regular Session, as amended, and Act No. 515, H. 1135, 1965 Regular Session, as amended.

JIM PREUITT,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

S. 59. Relating to DeKalb County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes and the issuance of certain licenses under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official and providing for a referendum.

Also:

S. 61. Relating to DeKalb County; imposing an additional delinquent payment penalty for late payment of the county portion of ad valorem taxes and providing that the proceeds from such additional penalty shall be deposited to the credit of the DeKalb County Rural Water Authority.

Also:

S. 295. Relating to Etowah County, authorizing the county governing body to reimburse the tax assessor, tax collector, probate judge and revenue commissioner for losses incurred from certain worthless checks and other instruments; to require said officials insure their

employees exercise due care and attempt to collect all funds due; and to provide retroactive effect.

Also:

S. 484. Relating to Fayette County, repealing Act No. 673, H. 1882, 1973 Regular Session, and Act No. 465, H. 885, 1978 Regular Session, relating to the expense allowance of the county superintendent of education.

JIM PREUITT,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

S. 405. Relating to Jackson County; providing certain expense allowances for the chairperson and associate members of the Jackson County commission.

Also:

S. 408. Relating to Jackson County; to amend further Section 1 of Act No. 79-473, S. 639, Regular Session 1979 (Acts 1979, p. 873), as amended, so as to provide further for distribution of funds received by the county from payments made in lieu of taxes made by the Tennessee Valley Authority.

Also:

S. 475. Relating to the City of Opelika; to provide that the City of Opelika shall not exercise police jurisdiction or taxing power in any county unless a part of its corporate limits also lies in the county.

Also:

S. 476. Relating to Lee County, to impose a fee on the rental of video cassettes; to provide for the method of reporting and paying the fee; to provide for a fee for the Lee County tax collecting official for the collection of same; and to provide for penalties for failure to pay.

Also:

S. 498. Relating to Limestone County; so as to further provide for an additional expense allowance and expiration date therefor and the sheriff's compensation, in the next term of office for sheriff.

JIM PREUITT,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

S. 424. To provide for a county law library in Madison County, and for the personnel, space, funding, operation, and maintenance thereof, making said law library part of a network with the other law libraries in the state for their mutual benefit; permitting the present Madison County law library to come under the provisions of this act if it elects to do so; and levying a library fee in certain court cases.

Also:

S. 499. Relating to Mobile County; amending Act No. 87-663, S. 498, 1987 Regular Session (Acts 1987, p. 1172), which provides for the acceptance of certain unimproved roads and regulates the construc-

tion of certain other unimproved roads, so as to provide further for the construction of certain roads; and providing additional exemptions thereto.

JIM PREUITT,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills and finds same correctly engrossed, to-wit:

S. 9. To provide for a professional pay scale for county chief appraisers based on population of the counties. It is designed to enhance the ability of the counties to recruit and retain qualified appraiser personnel, and to advance professionalism, high standards and knowledge in the administration of the ad valorem tax laws of the State of Alabama.

Also:

S. 78. Relating to motor vehicle insurance policies issued in Alabama, to provide for mandatory premium reductions for the liability, personal injury protection and collision coverages for certain age groups under certain conditions, to limit the application of said discounts and to exempt certain insurers from the provisions of this act.

Also:

S. 323. To amend Section 27-1-16, Code of Alabama 1975, which relates to standard health insurance claim forms; so as to provide for use of a certain pharmacy claim form.

Also:

S. 392. To amend Section 22-20-3, Code of Alabama 1975, which provides for neonatal testing for certain diseases, so as to authorize certain other tests and the collection of a fee for the newborn screening program.

Also:

S. 400. To prohibit discrimination in the selling, renting, leasing, and financing of housing; to prohibit certain actions and activities; to provide for hearings and appeals; and to provide penalties.

Also:

S. 406. To authorize the State Medicaid Agency to expend not more than \$1.5 million annually to make liability insurance premium grants to family practitioners, pediatricians and obstetricians who establish obstetrical practices in rural or underserved areas; to establish a maximum limit for the grant and authorize the State Medicaid Agency to annually adjust such maximum limit to allow for annual premium increases; to establish criteria for eligibility; and for other purposes.

Also:

S. 505. To amend Section 37-3-32 of the Code of Alabama 1975, relating to motor carrier fees paid to the public service commission, so as to provide further for such fees.

Also:

S. 646. To authorize each county in the state to acquire, own and operate one or more jails, prisons or other criminal detention facilities; to grant to each county the power to enter into agreements with other governmental entities pursuant to which inmates are transferred from other jurisdictions to be incarcerated within a facility maintained by such county; to specify the conditions under which each county may enter into such agreements with governmental entities located outside the state of Alabama; to provide for the respective responsibilities of the sheriff of each county and the county commission of each county with respect to the maintenance and operation of any such facility; to authorize said sheriff and said county commission to delegate or assign all or a portion of such responsibilities to others pursuant to contract; to provide for a referendum of the voters of any county on the question of whether this act will become effective in such county; to provide for the

disposition of the net revenues received by any county from the operation of any jail, prison or other criminal detention facility pursuant to this act; to grant certain rights and powers to the Alabama department of corrections and the commissioner thereof with respect to the approval of any such facility and the monitoring of the operation thereof; and to provide that any contracts entered into by a county or by a sheriff of a county pursuant to the provisions of this act shall be exempt from competitive bid laws.

Also:

S. 711. To make a conditional appropriation from the state general fund to the Alabama's Young Woman of the Year for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

JIM PREUITT,
Chairperson.

BUDGET ISOLATION RESOLUTION

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, SB 593.

Senator Sanders, B.I.R., SB 593, adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Horn, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (J), Wilson, and Windom -22

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 593. To make an appropriation from the Alabama Special Educational Trust Fund to the Blackbelt Human Resources, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed, and ordered sent forthwith to

the House.

Yeas 22 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Denton, Dixon, Ellis, Figures,
Floyd, Foshee, Horn, Langford, Lindsey, Little, Mitchell, Mitchem,
Owens, Parsons, Sanders, Smith (J), Wilson, and Windom -22

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, SB 708.

Senator Windom, B.I.R., SB 708, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried,
Denton, Dixon, Figures, Foshee, Ghee, Hale, Hilliard, Horn,
Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuit,
Sanders, Smith (B), and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 708. Relating to Mobile County; to provide for the temporary release of certain prisoners in the county jail for the purpose of working at gainful employment or for other rehabilitative purposes; to provide for the payment by persons so released to the county of a portion of their gross earnings and for the utilization of the funds derived therefrom; to provide for the Mobile Pre-Trial Release and Jail Diversion Fund; to establish penalties for failure to appear or for violation of release conditions; to provide for the forfeiture of security deposited to insure the attendance of the defendant; and to provide for the administration and supervision of activities hereunder by the Presiding Circuit Judge of the Thirteenth Judicial Circuit; and to authorize appropriations to the fund by the Mobile County Commission.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Figures requested and received permission to suspend the Rules in order to bring up the Bill, HB 890.

Senator Figures, B.I.R., HB 890, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 890. To provide for the holding of an election among the qualified voters of Mobile County to determine whether alcoholic beverages may be legally sold and distributed in said county on Sundays after 12:00 o'clock noon by properly licensed retailers serving the general public; to provide conditions under which subsequent elections may be called to present the same question for reconsideration by the voters of Mobile County; to provide the allowable dates on which elections called pursuant to this act may be held, to specify the question to be presented to the voters in such elections and to provide the manner in which such elections shall be conducted and the results canvassed, tabulated, certified and declared; to provide that the properly licensed

sale and distribution of alcoholic beverages on Sunday after 12:00 o'clock noon, if approved by a majority of the voters in Mobile County in an election held pursuant to this act, shall be legal in all of Mobile County, including each municipality or part thereof that is located in Mobile County, irrespective of whether a majority of the voters of each such municipality voting in such election voted against the expanded sale and distribution of alcoholic beverages on Sunday; and to provide that, with respect to any municipality having a part thereof located outside of Mobile County, any election conducted pursuant to this act shall involve only those voters of such municipality who are voters of Mobile County and the results of such election shall apply only to those parts of such municipality that are located in Mobile County.

was taken up.

The Standing Committee on Local Legislation No. 3 reported the following substitute for the Bill, HB 890, to-wit:

SUBSTITUTE FOR HB 890

A B I L L T O B E E N T I T L E D A N A C T

To provide for the holding of an election among the qualified voters of Mobile County to determine whether alcoholic beverages may be legally sold and distributed in said county on Sundays after 12:00 o'clock noon by properly licensed retailers serving the general public; to provide conditions under which subsequent elections may be called to present the same question for reconsideration by the voters of Mobile County; to provide the allowable dates on which elections called pursuant to this act may be held, to specify the question to be presented to the voters in such elections and to provide the manner in which such elections shall be conducted and the results canvassed, tabulated, certified and declared; to provide that the properly licensed sale and distribution of alcoholic beverages on Sunday after 12:00 o'clock noon, if approved by a majority of the voters in Mobile County in an election held pursuant to this act, shall be legal in all of Mobile County, including each municipality or part thereof that is located in Mobile County, irrespective of whether a majority of the voters of each such municipality voting in such election voted against the expanded sale and distribution of alcoholic beverages on Sunday; and to provide that, with respect to any municipality having a part thereof located outside of Mobile County, any election conducted pursuant to this act shall involve only those voters of such municipality who are voters of Mobile County

and the results of such election shall apply only to those parts of such municipality that are located in Mobile County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Mobile County Commission is hereby mandated to call and provide for holding an election among the voters of Mobile County to determine whether or not alcoholic beverages (as defined in Section 28-3-1 of Code of Alabama 1975) may be legally sold and distributed on Sundays after 12:00 o'clock noon by properly licensed retailers serving the general public. The initial election mandated by this act shall be held as soon after the passage of this bill as is practical but in no event later than the first state-wide election scheduled to be held following passage of this act. To the extent technically feasible, the question presented in such election shall be printed on the same ballot used by the voters to vote on candidates and other questions presented in such election, as the case may be. The question to be voted on in the initial election mandated by this act, as well as in any subsequent election held pursuant to the provisions of Section 2 of this act, shall be stated on the ballots in the following form:

"Do you favor authorizing the legal sale and distribution of alcoholic beverages for on premises consumption in Mobile County on Sundays after 12:00 o'clock noon by properly licensed retailers serving the general public?"

Yes ____ No ____

Section 2. The Mobile County Commission shall cause notice of any election held pursuant to this act to be given to the voters of Mobile County by causing a written notice to be published in a newspaper having general circulation in said county at least 30 days before such election. Such notice shall state that such election is being called pursuant to, and will be conducted in accordance with, the provisions of this act (identifying the same by its act number and the session of the Legislature in which it was adopted) and shall further state the date on which the election will be held and the question that will appear on the ballot. Only qualified voters of Mobile County shall be entitled to vote in any such election. Any election held pursuant to this act shall be conducted by the officers provided by law to conduct county-wide elections in Mobile County, and such elections shall be conducted and the results thereof canvassed, tabulated, certified and declared in the manner provided by law for county-wide elections in such county. The entire costs of any election held pursuant to this act shall be paid out of the general fund of Mobile County.

Section 3. If a majority of the voters voting in any election held pursuant to this act vote "Yes", then, upon the proper certification and declaration of the results of such election, it shall be legal, on each Sunday during the two-hour period between 12:00 o'clock midnight of the preceding Saturday and 2:00 o'clock, A.M., and for the remainder of Sunday after 12:00 o'clock noon (but not between the hours of 2:00 o'clock, A.M. and 12:00 o'clock noon), in every part of Mobile County, including all municipalities or parts thereof located in such county, for properly licensed persons (as provided in the Alcoholic Beverage Licensing Code, Chapter 3A, Title 28, Code of Alabama, or successor provisions of law) to do the following:

(1) to sell and dispense at retail alcoholic beverages for on-premises consumption in a lounge or bar;

(2) to sell and dispense at retail alcoholic beverages for on-premises consumption in a restaurant, hotel, dinner theater, convention center or other establishment which provides meals to the public as one of its principal or commercial activities or which provides meals, entertainment or meeting support services to the public or selected groups of people in connection with its various activities;

(3) to sell beer and table wine at retail for on-premises and off-premises consumption;

(4) to sell alcoholic beverages at retail by retail common carrier with a passenger capacity of at least 10 people;

(5) to sell alcoholic beverages at retail under special license issued upon terms and conditions and for the period of time prescribed by the Alcoholic Beverage Control Board;

(6) to sell alcoholic beverages at retail under a special event retail license issued upon terms and conditions prescribed by the Alcoholic Beverage Control Board; and

(7) to consume alcoholic beverages on the premises of any establishment licensed to sell and dispense such alcoholic beverages for on-premises consumption.

The enumeration in this act of any activity involving the sale, distribution or consumption of alcoholic beverages on Sunday in Mobile County that becomes legal as a result of this act and any election held pursuant thereto shall not be construed to make unlawful any other activity that is lawful in Mobile County prior to the enactment of this act, including, without limitation thereto, the sale at retail of alcoholic beverages by

properly licensed private clubs, as well as the consumption of such alcoholic beverages on the premises of such clubs, on Sunday without limitation as to time. Upon the authorization of the expanded sale, distribution and consumption of alcoholic beverages in Mobile County on Sunday by an election held pursuant to this act, all persons holding licenses from the Alcoholic Beverage Control Board or successor licensing authority, or thereafter obtaining initial or renewal licenses, for activities involving the sale at retail of alcoholic beverages, whether for on-premises consumption shall retain the previously existing right to engage in such activities on Sunday during the two-hour period between midnight of the preceding Saturday and 2:00 o'clock, A.M., and shall have the further right to engage in such activities on Sunday after 12:00 o'clock noon without the filing of any new or supplemental application, the obtaining of any additional governmental permit or approval (whether state, county or municipal), or the payment of any additional license fee, it being the express intention and purpose of this act that the increased conduct of such activities on Sunday as herein provided shall be fully authorized and covered by licenses generally applicable to days of the week other than Sunday.

Section 4. If a majority of the voters voting in any election held pursuant to this act vote "Yes", the activities enumerated in Section 4 hereof which shall become lawful in Mobile County on Sunday after 12:00 o'clock noon shall be lawful in each and every municipality or part thereof located in Mobile County. If a majority of the voters voting in any election held pursuant to this act vote "No", none of the activities enumerated in Section 4 hereof shall be lawful on Sundays after 12:00 o'clock noon or at any other time on Sunday except during the two-hour period between midnight of the preceding Saturday and 2:00 o'clock, A.M., unless such activities at other times on Sunday are authorized by any law other than this act or by a subsequent election held pursuant to this act. If an election is held pursuant to this act in which a majority of the voters voting therein vote "Yes", and if a subsequent election is held pursuant to this act in which a majority of the voters voting therein vote "No", the effect of such subsequent election shall be to make unlawful all activities on Sundays after 12:00 o'clock noon that were made lawful by the prior election, but such subsequent election shall not have the effect of making unlawful any activity that was lawful prior to the election in which a majority of "Yes" votes were cast or that was lawful at the time of such subsequent election due to the provisions of any law other than this act.

Section 5. All laws or parts of laws which conflict or are inconsistent with this act are hereby repealed.

Section 6. The provisions of this act are severable. In the

event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act, which shall continue effective.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Figures, said substitute was laid on the table.

And said Bill, HB 890, was read a third time at length and passed.

Yeas 25 Nays 1

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Figures, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), and Wilson -25

Nay: Senator Windom

- 1

BUDGET ISOLATION RESOLUTION

Senator Figures then requested and received permission to suspend the Rules in order to bring up the Bill, HB 899.

Senator Figures, B.I.R., HB 899, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 899. Relating to Mobile County; to provide an annual sup-

plemental salary of \$7,500.00 to the revenue commissioner, effective October 1, 1991, which shall be provided in lieu of any local salary, expense allowance, per diem, or other compensation previously provided by local law to said official; and prorating such supplemental salary from various funds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Lindsey requested and received permission to suspend the Rules in order to bring up the Bill, HB 826.

Senator Lindsey, B.I.R., HB 826, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 826. Relating to Choctaw County; equalizing the salaries of the tax assessor and tax collector at the beginning of their next terms of office.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Lindsey then requested and received permission to suspend the Rules in order to bring up the Bill, SB 729.

Senator Lindsey, B.I.R., SB 729, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 729. Relating to Choctaw County; repealing Act No. 83-549, H. 451, 1983 Regular Session, which provides for an assessment on forest lands for fire protection.

was taken up.

On motion of Senator Lindsey, the Rules were suspended and further consideration of the Bill, SB 729, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Lindsey then requested and received permission to suspend the Rules in order to bring up the Bill, SB 730.

**REGULAR SESSION
28th Day**

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Senator Lindsey, B.I.R., SB 730, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 730. Relating to Choctaw County; providing that the Sheriff of Choctaw County may establish a canteen for the purpose of selling supplies to prisoners and to provide for the disposition for revenue derived from such sales.

was taken up.

On motion of Senator Lindsey, the Rules were suspended and further consideration of the Bill, SB 730, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill, HB 812.

Senator Langford, B.I.R., HB 812, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 812. Relating to Montgomery County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abolishing the offices of tax assessor and tax collector; and providing for a referendum thereon.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Langford then requested and received permission to suspend the Rules in order to bring up the Bill, HB 921.

Senator Langford, B.I.R., HB 921, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 921. To repeal Act No. 80-709, entitled "An Act Relating to

the City of Montgomery in Montgomery County; to authorize the City of Montgomery to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within such city, to be a public nuisance; to abate or cause to be abated the same; and, to create a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating same."

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill, HB 896.

Senator Corbett, B.I.R., HB 896, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 896. Relating to Bullock County; repealing Act No. 241, H. 751, 1976 Regular Session, as amended, which provides for an assessment on forest lands for fire protection.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Corbett then requested and received permission to suspend the Rules in order to bring up the Bill, HB 992.

Senator Corbett, B.I.R., HB 992, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 992. Relating to Bullock County; authorizing the county commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in the county; and providing for the collection and enforcement of the tax, and distribution of the proceeds therefrom.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner,

Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Corbett then requested and received permission to suspend the Rules in order to bring up the Bill, HB 995.

Senator Corbett, B.I.R., HB 995, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 995. Relating to Bullock County; abolishing the offices of tax assessor and tax collector; providing for the establishment of a consolidated and unified system of assessment and collection of ad valorem taxes under the supervision of an elective county official designated as county revenue commissioner; providing for the election and compensation of such revenue commissioner; and providing for a referendum upon the question of whether a majority of the qualified electors favor a revenue commissioner.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Ellis requested and received permission to suspend the Rules in order to bring up the Bill, HB 597.

Senator Ellis, B.I.R., HB 597, adopted.

Yeas 19 Nays 0

Yeas:

Senators:

Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Denton, Ellis, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Sanders, Smith (B), and Wilson -19

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 597. To provide for the employment, powers, and duties of police officers of the University of Montevallo.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Denton, Ellis, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Sanders, Smith (B), and Wilson -19

Nays:

- 0

MOTION TO ADJOURN

Senator Ellis moved that when the Senate adjourns today, it adjourn to meet again on Thursday, July 18, 1991, at 8 o'clock A.M., which motion was adopted.

BUDGET ISOLATION RESOLUTION

Senator Ellis then requested and received permission to suspend the Rules in order to bring up the Bill, HB 942.

Senator Ellis, B.I.R., HB 942, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Parsons, Preuit, Sanders, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 942. Relating to the City of Tuscaloosa in Tuscaloosa County; authorizing an additional ad valorem tax to be used for general educational purposes and providing for a referendum for approval of the tax by the qualified electors of the city.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Parsons, Preuit, Sanders, and Wilson -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill, HB 693.

Senator Little, B.I.R., HB 693, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Little, Owens,

Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and
Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 693. Relating to Tallapoosa County; providing for the county commission to reimburse the office of probate judge for certain monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that the probate judge may charge a fee for invalid checks.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Little, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Little then requested and received permission to suspend the Rules in order to bring up the Bill, HB 907.

Senator Little, B.I.R., HB 907, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 907. Proposing an amendment to the Constitution of Alabama of 1901, providing for the election of the members of the board of education in the City of Tallassee, Alabama.

was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Little then requested and received permission to suspend the Rules in order to bring up the Bill, HB 908.

Senator Little, B.I.R., HB 908, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 908. Providing for a board of education for the city of Tallassee, Alabama, to be elected by the qualified electors of said city;

providing that the members of such board shall be elected from defined school districts; providing for the terms of office, qualifications and compensation of such members; prescribing procedures for electing such members and for filling vacancies on such board; providing for board representation for persons not residing within a specific school district; providing certain immunity for such board members; providing for financial audits of the records of such board; specifically repealing Act No. 90-619 of the 1990 Regular Session of the Legislature and all other laws or parts of laws in conflict herewith and providing that this act shall become effective only upon the ratification of an amendment to the Constitution of Alabama 1901, authorizing an elected school board for the city of Tallassee and if such amendment is approved by a majority of the qualified electors of Elmore and Tallapoosa Counties voting on such constitutional amendment.

was taken up.

Senator Little offered the following amendment to the Bill, HB 908, to-wit:

AMENDMENT TO HB 908

On page 4, on lines 3 through 11, delete all the language in Section 8 and renumber subsequent Sections accordingly.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, and Windom -25

Nays:

- 0

And said Bill, HB 908, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee,

Hale, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt,
and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Lipscomb, B.I.R., HB 396, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bolling, Campbell, deGraffenried, Denton,
Ellis, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Preuitt,
Sanders, Smith (B), and Wilson -18

Nays: - 0

FURTHER CONSIDERATION OF HB 396

The Senate proceeded to further consideration of the Bill:

H. 396. To authorize any Class 2, 3, 4, 5, 6, 7 or 8 municipality, operating under a council-manager form of government or under a mayor-council-city manager form of government, to establish a council-manager form of government; to provide for an election for the qualified electorate to continue to operate under the council-manager form of government under this act or to choose the mayor-council form of government pursuant to Section 11-43-1, et seq. of the Code of Alabama 1975, which provides for the operation and administration of such governing body; to provide for the powers, duties and responsibilities and terms of office for each form of government; to prescribe that any annexation and the present boundaries shall continue; to provide that the mayor and council members shall continue in office until the expiration of their current terms; to provide for the composition of the council and the number of single-members districts and for certain municipal officers; to preserve any current civil service or merit system; to provide for the transition of powers, duties and assets of any office, department, board, commission or agency where applicable, as well as the continuation of all contracts, public improvements, ordinances providing for civil or criminal penalties, the proceedings of the municipality, and resolutions; to provide for referendum procedures and the effective date; to provide for fiscal and budgetary matters of the governing body and municipality; to repeal any laws or parts of laws in conflict with this act; and to prescribe criminal penalties for violations.

having been postponed on the Twenty-Seventh Legislative Day, was taken up.

And said Bill, HB 396, was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bolling, Campbell, deGraffenried, Denton, Ellis, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Preuit, Sanders, Smith (B), and Wilson -18

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, SB 728.

Senator Sanders, B.I.R., SB 728, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 728. Relating to Perry County; to provide an expense allowance for the Sheriff of Perry County and to provide for retroactive effect.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon,

Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 933.

Senator Sanders, B.I.R., HB 933, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, and Sanders -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 933. Relating to Wilcox County, providing further for the compensation of the sheriff.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, and Sanders -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 946.

Senator Sanders, B.I.R., HB 946, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, and Sanders -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 946. Relating to Perry County; to provide for an additional expense allowance for the county coroner.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, and Sanders -25

Nays:

- 0

RULE 35 SUSPENDED

On motion of Senate Sanders, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bills, SB's 701, 75, 593, 708, and 728.

BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 869.

Senator Sanders, B.I.R., HB 869, adopted.

Yeas 25 Nays 0

**REGULAR SESSION
28th Day**

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Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, and Sanders -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 869. To alter, rearrange and extend the boundary lines and corporate limits of the town of Mosses in Lowndes County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, and Sanders -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Barron requested and received permission to suspend the Rules in order to bring up the Bill, SB 706.

Senator Barron, B.I.R., SB 706, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 706. Relating to DeKalb County; providing that the county commission or other like governing body of such county shall have the power to levy and collect additional privilege license taxes, excise taxes, gasoline taxes, sales and use taxes and other taxes and/or fees; providing that any such tax levied by said governing body shall become law either with or without a referendum in the sole discretion of said governing body; providing for the disposition of the proceeds of such taxes; and repealing conflicting laws.

was taken up.

On motion of Senator Barron, the Rules were suspended and further consideration of the Bill, SB 706, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Barron then requested and received permission to suspend the Rules in order to bring up the Bill, HB 932.

Senator Barron, B.I.R., HB 932, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 932. Relating to Tuscaloosa County, to further amend Sections 1 and 2 of Act No. 601, H. 1087, 1976 Regular Session (Acts 1976, p. 817), as amended by Act No. 83-560, H. 820, 1983 Regular Session (Acts 1983, p. 858), which act deals with the issuance of pistol permits in certain counties, so as to provide further for fees and

renewals.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Wilson requested and received permission to suspend the Rules in order to bring up the Bill, SB 695.

Senator Wilson, B.I.R., SB 695, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 695. Relating to supernumerary district attorneys of the fourteenth (14th) judicial circuit; to provide a salary supplement equal to the salary supplement paid to supernumerary district attorneys of the tenth (10th) judicial circuit.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson

-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Wilson then requested and received permission to suspend the Rules in order to bring up the Bill, SB 698.

Senator Wilson, B.I.R., SB 698, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 698. Relating to Walker County and the 14th Judicial Circuit, to levy certain additional costs and charges of court, to provide said costs and charges shall be placed in a special hazardous duty pay fund, to provide hazardous duty pay for certain deputy sheriffs and jailers, to authorize the county commission to increase the amount of hazardous duty payments, and to provide for implementation of this act.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford,

Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt,
and Wilson -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Denton requested and received permission to suspend the
Rules in order to bring up the Bill, HB 909.

Senator Denton, B.I.R., HB 909, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Denton, Dixon, Ellis, Figures, Floyd,
Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb,
Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, and
Smith (J) -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 909. To repeal Section 20 of Act No. 79-107, H. 171, of the
1979 Regular Session (Acts 1979, p. 129), relating to Lauderdale
County and the office of ex officio license inspector, so as to abolish the
ex officio office; to authorize the county commission to appoint the
Lauderdale County license inspector pursuant to Section 40-12-10 of the
Code of Alabama 1975, as amended; and to specifically provide that the
office of county license commissioner shall be preserved as well as the
remainder of said Act No. 79-107.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Denton, Dixon, Ellis, Figures, Floyd,
Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb,
Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, and
Smith (J) -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Denton then requested and received permission to suspend the Rules in order to bring up the Bill, HB 888.

Senator Denton, B.I.R., HB 888, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 888. Relating to Tuscaloosa County; to amend Section 4 of Act No. 1225, H. 1498, 1969 Regular Session (Acts 1969, p. 2297), which establishes a Civil Service System for the City of Northport, so as to provide for the ability to compensate members of the Civil Service Board.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill, SB 364.

Senator Langford, B.I.R., SB 364, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried,
Floyd, Foshee, Ghee, Hale, Langford, Lipscomb, Little, Preuitt,
Smith (J), Wilson, and Windom -18

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 364. To provide for the appointment of a nonprofit corporation to serve as guardian for persons who are developmentally disabled; to provide additional requirements for such corporations; and to authorize the Alabama Department of Mental Health and Mental Retardation to develop guidelines, rules and regulations.

was taken up.

The Standing Committee on Judiciary/Civil reported the following substitute for the Bill, SB 364, to-wit:

SUBSTITUTE FOR SB 364

**A B I L L
T O B E E N T I T L E D
A N A C T**

Provides for the appointment of a private non-profit corporation by the courts to serve as guardian for persons who are developmentally disabled. Establishes further qualifications for such organizations to be appointed and designates the Alabama Department of Mental Health/Mental Retardation to develop guidelines for the activities of those corporations appointed as Guardian for a person with developmental disabilities.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The term "developmentally disabled" means a person whose impairment of general intellectual functioning or adaptive behavior which is manifested before the person attains the age of twenty-two (22) and results in mental retardation, cerebral palsy, epilepsy or autism and as defined in Public Law 98-527, the Developmental

Disabilities Assistance and Bill of Rights Act (Section 102 (7)).

Section 2. A private non-profit corporation organized under the laws of Alabama and qualified under the Internal Revenue Code as a 501(c)(3) tax exempt corporation as described herein is qualified for designation as guardian for persons with developmental disabilities and who has been determined by the probate court to need some degree of guardianship provided that those corporations qualifying under this act shall be governed by a board of directors which shall have no fewer than thirty-five (35) percent of its membership representing parents or siblings of persons with developmental disabilities. Further such corporation shall be established in perpetuity to provide a lifetime of service to those persons placed under their care. In no case shall a corporation appointed under this act engage in providing direct or indirect services to the wards/protective persons under its care or take any other action that could be considered a conflict of interest.

Section 3. The Alabama Department of Mental Health and Mental Retardation shall assist the courts in their implementation of this act and shall develop guidelines for the provision of guardianship services by corporations appointed under this act.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section 5. All laws or parts of law which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Which was adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Floyd, Foshee, Ghee, Hale, Langford, Lipscomb, Little, Preuitt, Smith (J), Wilson, and Windom

-18

Nays:

- 0

And said Bill, SB 364, as amended by the substitute, was read a

third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 18 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Floyd, Foshee, Ghee, Hale, Langford, Lipscomb, Little, Preuitt, Smith (J), Wilson, and Windom -18

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill, HB 855.

Senator Bedsole, B.I.R., HB 855, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 855. Relating to Mobile County; to provide the administrator of estates an annual county expense allowance of \$6,000.00, effective October 1, 1991, which shall constitute the total compensation payable by the county to said official, in lieu of any local salary, expense allowance, per diem or other compensation previously provided by law to said official.

was read a third time at length and passed.

Yeas 25 Nays 1

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried,

Denton, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), and Waggoner -25

Nay: Senator Windom

- 1

BUDGET ISOLATION RESOLUTION

Senator Bedsole then requested and received permission to suspend the Rules in order to bring up the Bill, HB 891.

Senator Bedsole, B.I.R., HB 891, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 891. Relating to Mobile County; to provide an annual supplemental salary of \$7,500.00 to the license commissioner, effective upon the expiration of the current term of office, which shall be provided in lieu of any local salary, expense allowance, per diem, or other compensation previously provided by local law to said official; and prorating such supplemental salary from various funds.

was read a third time at length and passed.

Yeas 25 Nays 1

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), and Waggoner -25

Nay: Senator Windom

- 1

BUDGET ISOLATION RESOLUTION

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, HB 887.

Senator Windom, B.I.R., HB 887, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 887. Relating to Tuscaloosa County; to amend Section 1 of Act No. 80-536, H. 73, 1980 Regular Session (Acts 1980, p. 835), as amended, which provides overtime compensation for certain law enforcement officers, so as to provide further for the officers of the City of Northport.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill:

S. 578. To create "The Tractor, Farm Equipment, Lawn and Garden and Light Industrial Equipment Franchise Act" in order to provide for the fair regulation of tractor, farm equipment, lawn and

garden and light industrial equipment manufacturers, distributors, wholesalers, dealers, and their representatives; to provide for the regulation of dealings and transactions between manufacturers and distributors or wholesalers and their dealers; to prohibit unfair and deceptive trade practices; to protect the freedom to contract; to prescribe remedies for violations of the provisions of the act; and to repeal Section 8-21-1 through 8-21-14, Code of Alabama 1975.

On motion of Senator Bailey, the Rules were suspended and further consideration of the Bill, SB 578, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, HB 596.

Senator Windom, B.I.R., HB 596, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Ellis, Floyd, Ghee, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuit, Smith (B), Smith (J), Wilson, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 596. To further provide for the tax exemptions on certain ships and vessels and commercial fishing vessels of over five (5) tons load displacement as registered with the U. S. Coast Guard licensed by the State of Alabama Department of Conservation and Natural Resources; to amend sections 40-23-2, 40-23-4, 40-23-61 and 40-23-62 of the Code of Alabama 1975, as amended, relating to exemptions from sales and use taxation, generally; excise tax on the storage, use or other consumption of certain tangible personal property and exemptions therefrom; to repeal any conflicting laws, rules or regulations; and to make the provisions retroactively effective.

was read a third time at length and passed.

Yeas 21 Nays 0

**REGULAR SESSION
28th Day**

2261

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Ellis, Floyd, Ghee, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Smith (B), Smith (J), Wilson, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill, HB 844.

Senator Bailey, B.I.R., HB 844, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 844. Relating to Geneva County; to authorize the County Board of Education, by resolution passed in open session, to increase their monthly expense allowance.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 316. To authorize municipalities or counties when unincorporated territory is involved to acquire sites, purchase and construct homeless shelters, halfway houses and emergency housing, and affordable single and multi-family dwellings; to receive funds for said use; to sell and issue bonds; to execute mortgages and deeds; to appropriate or lend funds to any public or private not-for-profit corporation created to fund such housing and dwellings; to join other municipalities in the exercise of such powers; to require that all construction authorized pursuant to this act shall be performed by a licensed general contractor; and to require said construction shall be subject to the state competitive bid laws.

On motion of Senator Langford, the Rules were suspended and further consideration of the Bill, SB 316, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Parsons requested and received permission to suspend the Rules in order to bring up the Bill, SB 469.

Senator Parsons, B.I.R., SB 469, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Barron, Bennett, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hilliard, Horn, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Sanders, Smith (B), Waggoner, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 469. To authorize the Board of Managers of the City of Birmingham Retirement and Relief System to consider the application of Donald C. Waid for a pension based upon extraordinary disability and to award such pension if, in the judgment of the Board of Managers, such pension is required, and to provide for the conditions and limitations

applying to such pension.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Barron, Bennett, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hilliard, Horn, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Sanders, Smith (B), Waggoner, and Windom -25

Nays:

- 0

RULE 35 SUSPENDED

On motion of Senator Parsons, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bills SB's 695, 698, 364, and 469.

BUDGET ISOLATION RESOLUTION

Senator Parsons then requested and received permission to suspend the Rules in order to bring up the Bill, SB 488.

Senator Parsons, B.I.R., SB 488, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Barron, Bennett, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hilliard, Horn, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Sanders, Smith (B), Waggoner, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 488. Relating to the Jefferson County Tax Assessor's office and the Jefferson County Tax Collector's office; to amend provisions for salaries of the Appointed Chief Deputy Tax Assessors and the Appointed Chief Deputy Tax Collectors.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 1

Yeas:

Senators:

Barron, Bennett, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Parsons, Sanders, Smith (B), Waggoner, and Windom -25

Nay: Senator Amari

- 1

On motion of Senator Parsons, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 488.

BUDGET ISOLATION RESOLUTION

Senator Mitchell requested and received permission to suspend the Rules in order to bring up the Bill, SB 48.

Senator Mitchell, B.I.R., SB 48, adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Mitchell, Owens, Parsons, Preuitt, Smith (B), Waggoner, and Windom -22

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 48. To amend Section 34-3-2.1, Code of Alabama 1975, relating to the graduates of certain law schools being authorized to take the bar exam, so as to provide further for such graduates and those teaching at such law schools.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 22 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Mitchell, Owens, Parsons, Preuitt, Smith (B), Waggoner, and Windom -22

Nays:

- 0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 389. To amend Section 29-2-51 of the Code of Alabama 1975, relating to the permanent legislative committee on reapportionment so as to provide further for additional at-large members.

GREG PAPPAS,
Clerk.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills and finds same correctly engrossed, to-wit:

S. 75. To amend Sections 32-6-250 and 32-6-251, Code of Alabama 1975, which provide distinctive license plates for Medal of Honor Recipients and Prisoners of War, so as to include recipients of the Purple Heart Medal.

Also:

S. 364. Provides for the appointment of a private non-profit corporation by the courts to serve as guardian for persons who are developmentally disabled. Establishes further qualifications for such organizations to be appointed and designates the Alabama Department of Mental Health/Mental Retardation to develop guidelines for the activities of those corporations appointed as Guardian for a person with developmental disabilities.

Also:

S. 701. Relating to Montgomery County; providing further for the expense allowance and compensation of the sheriff.

JIM PREUITT,
Chairperson.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 950. Relating to Calhoun County; to amend Act No. 87-426, H. 775, 1987 Regular Session (Acts of Alabama, 1987, p. 636), which authorizes Calhoun County, to levy an annual license or privilege fee upon any business except for practicing the religious tenets of any church, so as to provide that if a business is conducted as certain entities in which more than one natural person is engaged as a lawyer, actuary, accountant, architect, doctor, dentist, osteopath, chiropractor, optometrist, oculist, or optician, then each natural person so engaged shall be treated as if such natural person were conducting a separate business and each such natural person shall pay a license or privilege fee, and so as to provide that one of the purposes of said act is to provide for local needs in Calhoun County, Alabama, not provided for by a general law.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 908. Providing for a board of education for the city of Tallassee, Alabama, to be elected by the qualified electors of said city; providing that the members of such board shall be elected from defined school districts; providing for the terms of office, qualifications and compensation of such members; prescribing procedures for electing such members and for filling vacancies on such board; providing for board

representation for persons not residing within a specific school district; providing certain immunity for such board members; providing for financial audits of the records of such board; specifically repealing Act No. 90-619 of the 1990 Regular Session of the Legislature and all other laws or parts of laws in conflict herewith and providing that this act shall become effective only upon the ratification of an amendment to the Constitution of Alabama 1901, authorizing an elected school board for the city of Tallassee and if such amendment is approved by a majority of the qualified electors of Elmore and Tallapoosa Counties voting on such constitutional amendment.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 907. Proposing an amendment to the Constitution of Alabama of 1901, providing for the election of the members of the board of education in the City of Tallassee, Alabama.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 11. Relating to Athens State College; to repeal Act No.

81-153, S. 392, Regular Session, 1981 (Acts 1981, p. 176), which consolidated the administration of Athens State College and John C. Calhoun Community College; to re-establish two autonomous administrations; and to provide for the appointment of presidents of the colleges, the jurisdictions and operations.

Also:

H. 818. Relating to Lee County; authorizing the county commission to levy an additional ad valorem tax outside the corporate limits of the cities of Auburn and Opelika; and providing for a referendum for approval of the tax by the qualified electors of the area.

Also:

H. 894. Relating to Lee County; to prohibit the placing of political signs, markers and advertising, on county controlled highways except for those signs or markers placed by or under the authority of the county.

Also:

H. 947. To alter or rearrange the boundary lines of the City of Ozark, Dale County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territories contiguous thereto, in Dale County, Alabama, and to provide for a referendum.

Also:

H. 948. To alter or rearrange the boundary lines of the city of Ozark, Dale County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territories contiguous thereto, in Dale County, Alabama.

Also:

H. 949. To alter or rearrange the boundary lines of the Town of Newton, Dale County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territories contiguous thereto, in Dale County, Alabama.

Also:

H. 952. Relating to Tallapoosa County; providing for the mode

of establishing the construction, maintenance and repair of public roads, highways, bridges and ferries under a modified county unit system; authorizing and requiring the county commission to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, bridges and ferries of Tallapoosa County; and specifically repealing Act No. 88-121, H. 437, 1988 Regular Session.

Also:

H. 597. To provide for the employment, powers, and duties of police officers of the University of Montevallo.

Also:

H. 869. To alter, rearrange and extend the boundary lines and corporate limits of the town of Mosses in Lowndes County.

Also:

H. 896. Relating to Bullock County; repealing Act No. 241, H. 751, 1976 Regular Session, as amended, which provides for an assessment on forest lands for fire protection.

Also:

H. 932. Relating to Tuscaloosa County, to further amend Sections 1 and 2 of Act No. 601, H. 1087, 1976 Regular Session (Acts 1976, p. 817), as amended by Act No. 83-560, H. 820, 1983 Regular Session (Acts 1983, p. 858), which act deals with the issuance of pistol permits in certain counties, so as to provide further for fees and renewals.

Also:

H. 933. Relating to Wilcox County, providing further for the compensation of the sheriff.

Also:

H. 942. Relating to the City of Tuscaloosa in Tuscaloosa County; authorizing an additional ad valorem tax to be used for general educational purposes and providing for a referendum for approval of the tax by the qualified electors of the city.

Also:

H. 946. Relating to Perry County; to provide for an additional expense allowance for the county coroner.

Also:

H. 977. To alter or rearrange the boundary lines of the City of Daleville, Dale County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territories contiguous thereto, in Dale County, Alabama.

Also:

H. 992. Relating to Bullock County; authorizing the county commission to levy an additional county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption of tobacco and certain tobacco products in the county; and providing for the collection and enforcement of the tax, and distribution of the proceeds therefrom.

Also:

H. 995. Relating to Bullock County; abolishing the offices of tax assessor and tax collector; providing for the establishment of a consolidated and unified system of assessment and collection of ad valorem taxes under the supervision of an elective county official designated as county revenue commissioner; providing for the election and compensation of such revenue commissioner; and providing for a referendum upon the question of whether a majority of the qualified electors favor a revenue commissioner.

Also:

H. 396. To authorize any Class 2, 3, 4, 5, 6, 7 or 8 municipality, operating under a council-manager form of government or under a mayor-council-city manager form of government, to establish a council-manager form of government; to provide for an election for the qualified electorate to continue to operate under the council-manager form of government under this act or to choose the mayor-council form of government pursuant to Section 11-43-1, et seq. of the Code of Alabama 1975, which provides for the operation and administration of such governing body; to provide for the powers, duties and responsibilities and terms of office for each form of government; to prescribe that any annexation and the present boundaries shall continue;

to provide that the mayor and council members shall continue in office until the expiration of their current terms; to provide for the composition of the council and the number of single-members districts and for certain municipal officers; to preserve any current civil service or merit system; to provide for the transition of powers, duties and assets of any office, department, board, commission or agency where applicable, as well as the continuation of all contracts, public improvements, ordinances providing for civil or criminal penalties, the proceedings of the municipality, and resolutions; to provide for referendum procedures and the effective date; to provide for fiscal and budgetary matters of the governing body and municipality; to repeal any laws or parts of laws in conflict with this act; and to prescribe criminal penalties for violations.

Also:

H. 693. Relating to Tallapoosa County; providing for the county commission to reimburse the office of probate judge for certain monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing that the probate judge may charge a fee for invalid checks.

Also:

H. 812. Relating to Montgomery County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; abolishing the offices of tax assessor and tax collector; and providing for a referendum thereon.

Also:

H. 826. Relating to Choctaw County; equalizing the salaries of the tax assessor and tax collector at the beginning of their next terms of office.

Also:

H. 921. To repeal Act No. 80-709, entitled "An Act Relating to the City of Montgomery in Montgomery County; to authorize the City of Montgomery to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within such city, to be a public nuisance; to abate or cause to be abated the same; and, to create a lien upon the property fronting upon such streets or sidewalks or upon

which such nuisance exists for the cost of abating same."

Also:

H. 899. Relating to Mobile County; to provide an annual supplemental salary of \$7,500.00 to the revenue commissioner, effective October 1, 1991, which shall be provided in lieu of any local salary, expense allowance, per diem, or other compensation previously provided by local law to said official; and prorating such supplemental salary from various funds.

Also:

H. 890. To provide for the holding of an election among the qualified voters of Mobile County to determine whether alcoholic beverages may be legally sold and distributed in said county on Sundays after 12:00 o'clock noon by properly licensed retailers serving the general public; to provide conditions under which subsequent elections may be called to present the same question for reconsideration by the voters of Mobile County; to provide the allowable dates on which elections called pursuant to this act may be held, to specify the question to be presented to the voters in such elections and to provide the manner in which such elections shall be conducted and the results canvassed, tabulated, certified and declared; to provide that the properly licensed sale and distribution of alcoholic beverages on Sunday after 12:00 o'clock noon, if approved by a majority of the voters in Mobile County in an election held pursuant to this act, shall be legal in all of Mobile County, including each municipality or part thereof that is located in Mobile County, irrespective of whether a majority of the voters of each such municipality voting in such election voted against the expanded sale and distribution of alcoholic beverages on Sunday; and to provide that, with respect to any municipality having a part thereof located outside of Mobile County, any election conducted pursuant to this act shall involve only those voters of such municipality who are voters of Mobile County and the results of such election shall apply only to those parts of such municipality that are located in Mobile County.

Also:

H. 596. To further provide for the tax exemptions on certain ships and vessels and commercial fishing vessels of over five (5) tons load displacement as registered with the U. S. Coast Guard licensed by the State of Alabama Department of Conservation and Natural Resources; to amend sections 40-23-2, 40-23-4, 40-23-61 and 40-23-62 of the Code of Alabama 1975, as amended, relating to exemptions from sales and use taxation, generally; excise tax on the storage, use or other

consumption of certain tangible personal property and exemptions therefrom; to repeal any conflicting laws, rules or regulations; and to make the provisions retroactively effective.

Also:

H. 909. To repeal Section 20 of Act No. 79-107, H. 171, of the 1979 Regular Session (Acts 1979, p. 129), relating to Lauderdale County and the office of ex officio license inspector, so as to abolish the ex officio office; to authorize the county commission to appoint the Lauderdale County license inspector pursuant to Section 40-12-10 of the Code of Alabama 1975, as amended; and to specifically provide that the office of county license commissioner shall be preserved as well as the remainder of said Act No. 79-107.

Also:

H. 891. Relating to Mobile County; to provide an annual supplemental salary of \$7,500.00 to the license commissioner, effective upon the expiration of the current term of office, which shall be provided in lieu of any local salary, expense allowance, per diem, or other compensation previously provided by local law to said official; and prorating such supplemental salary from various funds.

Also:

H. 887. Relating to Tuscaloosa County; to amend Section 1 of Act No. 80-536, H. 73, 1980 Regular Session (Acts 1980, p. 835), as amended, which provides overtime compensation for certain law enforcement officers, so as to provide further for the officers of the City of Northport.

Also:

H. 888. Relating to Tuscaloosa County; to amend Section 4 of Act No. 1225, H. 1498, 1969 Regular Session (Acts 1969, p. 2297), which establishes a Civil Service System for the City of Northport, so as to provide for the ability to compensate members of the Civil Service Board.

Also:

H. 855. Relating to Mobile County; to provide the administrator of estates an annual county expense allowance of \$6,000.00, effective October 1, 1991, which shall constitute the total compensation payable

by the county to said official, in lieu of any local salary, expense allowance, per diem or other compensation previously provided by law to said official.

Also:

H. 844. Relating to Geneva County; to authorize the County Board of Education, by resolution passed in open session, to increase their monthly expense allowance.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

H. 204. To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1992.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 204, to-wit:

SUBSTITUTE FOR HB 204

A B I L L T O B E E N T I T L E D A N A C T

To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of

government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The monies in Section 2 are appropriated from the named funds for the 1991-92 fiscal year to the state agencies indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the total for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agencies concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

(e) "Federal and Local Funds" shall mean all gifts, grants, contributions, or entitlements, including grants by the Congress of the United States, municipalities or counties.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial agencies of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1992, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for

which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
2A. LEGISLATIVE:				
1. EXAMINERS OF PUBLIC ACCOUNTS, DEPARTMENT OF:				
(a) Legislative Support-Audit Services Program.....				10,880,642
SOURCE OF FUNDS:				
(1) State General Fund.....	10,380,642			
(2) Federal Funds.....			500,000	
Total Department of Examiners of Public Accounts.....	10,380,642		500,000	10,880,642
2. LAW INSTITUTE, ALABAMA:				
(a) Support Of Other Educational Activities Program				397,252
SOURCE OF FUNDS:				
(1) State General Fund.....	397,252			
Total Alabama Law Institute	397,252			397,252
3. LEGISLATIVE COUNCIL:				
(a) Legislative Operations and Support Program.....				242,000
SOURCE OF FUNDS:				
(1) State General Fund.....	242,000			
Pursuant to Section 29-6-1 et seq., <u>Code of Alabama</u> <u>1975</u> .				
Total Legislative Council.....	242,000			242,000
4. LEGISLATIVE FISCAL OFFICE:				
(a) Legislative Operations and Support Program (to include program review)				1,076,824
SOURCE OF FUNDS:				
(1) State General Fund.....	1,076,824			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Total Legislative Fiscal Office.....		1,076,824		1,076,824
5. LEGISLATIVE REFERENCE SERVICE:				
(a) Legislative Operations and Support Program.....				1,382,299
SOURCE OF FUNDS:				
(1) State General Fund.....		1,382,299		
Total Legislative Reference Service		1,382,299		1,382,299
6. LEGISLATURE:				
(a) Legislative Operations and Support Program.....				10,475,191
It is the intent of the Legislature that (1) at least \$30,000 shall be allocated for the Senate Finance and Taxation Committee, \$30,000 shall be allocated for the Office of the Senate Pro Tempore, and \$30,000 shall be allocated for the Senate Rules Committee, (2) at least \$90,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the office of the Speaker of the House, (3) \$7,000 shall be allocated to the permanent mu- nicipal government committee as required by Act 90-478, and (4) at least \$350,000 shall be allocated for a permanent legis- lative committee on reapportionment as required by Act 90-388. The appropriation to the Legislature shall be expended under the provisions set forth in Section 29-1-22, Code of Alabama 1975.				
SOURCE OF FUNDS:				
(1) State General Fund.....		10,475,191		
Total Legislature		10,475,191		10,475,191
7. LEGISLATURES, NATIONAL CONFERENCE OF STATE:				
(a) Legislative Operations and Support Program.....				85,775

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		Fund Sources Included In Appropriation Total	
	General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:			
(1) State General Fund	85,775		
Total National Conference of State Legislatures	85,775		85,775
2B. JUDICIAL:			
1. COURT OF CIVIL APPEALS:			
(a) Court Operations Program			1,384,213
SOURCE OF FUNDS:			
(1) State General Fund	1,320,776		
(2) State General Fund - Act 90-111, Judicial Compensation Report	63,437		
Total Court of Civil Appeals	1,384,213		1,384,213
2. COURT OF CRIMINAL APPEALS:			
(a) Court Operations Program			2,279,672
SOURCE OF FUNDS:			
(1) State General Fund	2,173,944		
(2) State General Fund - Act 90-111, Judicial Compensation Report	105,728		
Total Court of Criminal Appeals	2,279,672		2,279,672
3. JUDICIAL INQUIRY COMMISSION:			
(a) Administrative Services Program			124,014
SOURCE OF FUNDS:			
(1) State General Fund	124,014		
Total Judicial Inquiry Commission	124,014		124,014
4. JUDICIAL RETIREMENT FUND:			
(a) Retirement Systems Program			1,380,000
SOURCE OF FUNDS:			
(1) State General Fund	1,380,000		
Total Judicial Retirement Fund .	1,380,000		1,380,000
5. SUPREME COURT:			
(a) Court Operations Program			4,533,793
SOURCE OF FUNDS:			
(1) State General Fund	4,343,483		
(2) State General Fund - Act 90-111, Judicial			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
	Compensation Report	190,310		
	Total Supreme Court	4,533,793		4,533,793
6. SUPREME COURT MARSHAL/ LIBRARY:				
(a)	Court Operations - Library Service Program.....			979,852
	SOURCE OF FUNDS:			
	(1) State General Fund.....	940,352		
	(2) Departmental Receipts		39,500	
	Total Supreme Court Marshal/Library.....	940,352	39,500	979,852
7. UNIFIED JUDICIAL SYSTEM: (Administrative Office of Courts)				
(a)	Court Operations Program.....			67,006,458
(b)	Administrative Services Program			3,864,158
(c)	Mandatory Drug Treatment Program.....			578,650
(d)	DUI Referral Program.....			71,580
(e)	Fringe Benefit Program, Estimated.....			380,000
(f)	Court Equipment and Court Security Program.....			1,077,241
	SOURCE OF FUNDS:			
	(1) State General Fund.....	68,511,801		
	(2) State General Fund - Act 90-111, Judicial Compensation Report	3,237,517		
	(3) State General Fund - Act 90-474	228,761		
	(4) State General Fund- Social Security-County Judicial, Estimated	380,000		
	(5) State General Fund Transfer-Juvenile Justice Coordinating Council, in accordance with Act 90-764	20,000		
	(6) Federal and Local Funds.....		600,008	
	Total Unified Judicial System	72,378,079	600,008	72,978,087

2C. EXECUTIVE

1. ACADEMY OF HONOR, ALABAMA:

- (a) Historical Resources

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Earmarked Funds	
Management Program.....			2,444
SOURCE OF FUNDS:			
(1) State General Fund.....	2,444		
As provided in Section 41- 11-6, <u>Code of Alabama</u> <u>1975</u> , and an additional amount.			
Total Alabama Academy of Honor	2,444		2,444
2. ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:			
(a) Professional and Occupational Licensing and Regulation Program			493,470
SOURCE OF FUNDS:			
(1) Alabama State Board of Public Accountancy Fund.....		493,470	
As provided in Section 34- 1-22, <u>Code of Alabama</u> <u>1975</u> . In addition to the amounts appropriated hereinabove to the State Board of Public Account- tancy, there is hereby appropriated such an amount as may be nec- essary to pay the refund of any application for license which may have been re- jected by the Board or withdrawn by request of applicant			
Total Alabama State Board of Public Accountancy.....		493,470	493,470
3. ADJUSTMENT, BOARD OF:			
(a) Special Services Program			500,375
SOURCE OF FUNDS:			
(1) State General Fund.....	11,572		
For the State General Fund Contribution to the total expenditure of \$750,000 pursuant to Section 41-9-73, <u>Code of</u> <u>Alabama 1975</u> .			
(2) State General Fund, Estimated	482,149		

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		Fund Sources Included In Appropriation Total	
	General Fund	Earmarked Funds	Appropriation Total
For expenditures as provided in Section 31-3-2 and Section 36-30-2, Code of Alabama 1975.			
(3) State General Fund -			
Administrative Costs	6,654		
Total Board of Adjustment.....	500,375		500,375

4. AERONAUTICS, DEPARTMENT OF:

(a) Airport Development and Aeronautical Support Program			908,711
SOURCE OF FUNDS:			
(1) Airport Development Fund-Aviation Fuel Tax		889,631	
As provided by Section 4-2-42, Code of Alabama 1975.			
(2) Airport Development Fund-Federal Funds.....		19,080	
Total Department of Aeronautics.....		908,711	908,711

5. AGING, COMMISSION ON:

(a) Planning and Advocacy for the Elderly Program			16,371,136
(b) Economic Assistance Program			12,053,405
SOURCE OF FUNDS:			
(1) State General Fund.....	1,372,964		
(2) State General Fund-Medicaid Waiver	2,872,760		
(3) Federal and Local Funds.....		24,178,817	
Total Commission on Aging.....	4,245,724	24,178,817	28,424,541
The Commission on Aging shall contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Community-Based Waiver for the Elder-			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
ly and Disabled". The Commission on Aging shall not withdraw Area Agency on Aging designations or alter the funding relationships with existing Area Agencies on Aging and Regional Planning Development Commissions or Councils of Local Governments without the approval of the Board of Directors of the Alabama Commission on Aging and complying with all federal and state statutory and regulatory requirements.				
6. AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:				
(a)	Water Resource Development Program			2,249,884
SOURCE OF FUNDS:				
(1)	State General Fund-Transfer	2,074,844		
(2)	Interest Income..... As provided in Section 9-8A-4.1, Code of Alabama 1975.		175,000	
Total Agricultural and Conservation Development Commission ..		2,074,884	175,000	2,249,884
7. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:				
(a)	Agricultural Development Services Program.....			48,215
SOURCE OF FUNDS:				
(1)	State General Fund.....	48,215		
Total Alabama Agricultural and Industrial Exhibit Commission ..		48,215		48,215
8. AGRICULTURAL CENTER BOARD:				
(a)	Agricultural Development Services Program.....			849,109
SOURCE OF FUNDS:				
(1)	State General Fund..... For expense and awarding of prizes for fairs as provided in Section 2-7-21, Code of Alabama 1975	163,308		

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
and other live-stock shows and expositions and other activities.			
(2) State General Fund- Operations.....	131,518		
(3) State General Fund- Livestock Coliseum.....	209,283		
(4) Livestock Coliseum Fund.....		345,000	
Total Agricultural Center Board	504,109	345,000	849,109

9. AGRICULTURE AND INDUSTRIES,
DEPARTMENT OF:

(a) Administrative Services Program	1,901,444
(b) Agricultural Inspection Services Program.....	10,681,062
(c) Laboratory Analysis and Disease Control Program.....	4,346,977
(d) Agricultural Development Services Program.....	1,876,753

SOURCE OF FUNDS:

(1) State General Fund.....	8,412,986	
(2) Federal and Local Funds.....		2,352,256
(3) Shipping Point Inspection Fund.....		3,754,000
Pursuant to Sections 2-9- 20 et seq., <u>Code of</u> <u>Alabama 1975</u> . All fees and charges collected by the Commissioner of Agri- culture and Industries and deposited into said fund, and such appropriation to the Department of Agri- culture and Industries shall include all fees and charges collected and de- posited therein for Ship- ping Point Inspection grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.		
(4) Agricultural Fund.....		4,286,994

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Total Department of Agriculture and Industries.....		8,412,986	10,393,250	18,806,236
10. ALABAMA TRUST FUND BOARD:				
(a) Administrative Program				34,605
SOURCE OF FUNDS:				
(1) State General Fund		34,605		
Total Alabama Trust Fund				
Board		34,605		34,605
11. ALCOHOLIC BEVERAGE CON- TROL BOARD, ALABAMA:				
(a) Product Management				
Program				27,535,558
(b) Enforcement Program				8,055,663
The level and type of services to be provided by the Al- coholic Beverage Control Board for the Enforcement Program in fiscal year 1991- 92 shall not be reduced below the level of services provided in this program in fiscal year 1990-91.				
(c) Administrative Services				
Program.....				2,769,544
The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the Department of Mental Health of \$1,000,000, a transfer to the Department of Public Safety of \$2,000,000, and a transfer to the State General Fund of \$596,000. The above trans- fers shall be made from the operating funds of the Alcoholic Beverage Control Board and shall not affect any distribution of revenue gen- erated from the sale of alcoholic beverages.				
SOURCE OF FUNDS:				
(1) ABC Board Fund.....			38,360,765	
In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store				

Fund Sources Included
In Appropriation Total

<u>General</u> <u>Fund</u>	<u>Earmarked</u> <u>Funds</u>	<u>Appropriation</u> <u>Total</u>
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put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Total Alabama Alcoholic Beverage Control Board			38,360,765	38,360,765
In addition to the above appropriation to the Alabama Alcoholic Beverage Control Board, there is hereby appropriated \$1,420,180 from the ABC Board Fund to be conditioned on the availability of funds in the ABC Board Fund, the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.				
12. ARCHITECTS, BOARD FOR REGISTRATION OF:				
(a) Professional and Occupational Licensing and Regulation Program				282,500
SOURCE OF FUNDS:				
(1) Fund of the Board for Registration of Architects.....			282,500	
As provided in Section 34-2-41, Code of Alabama 1975.				
Total Board for Registration of Architects.....			282,500	282,500
13. ARCHIVES AND HISTORY, DEPARTMENT OF:				
(a) Historical Resources Management Program.....				2,676,068
SOURCE OF FUNDS:				
(1) State General Fund		2,548,252		
(2) Federal and Local Funds			127,816	
Total Department of Archives and History.....		2,548,252	127,816	2,676,068
14. ATTORNEY GENERAL, OFFICE OF THE:				
(a) Legal Advice and Legal				

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
	Services Program			8,326,002
(b)	Fair Marketing Practices Program			728,013
	SOURCE OF FUNDS:			
(1)	State General Fund	6,192,986		
(2)	State General Fund - Drug Program	120,537		
(3)	State General Fund - Consumer Protection.....	596,105		
(4)	Federal and Local Funds.....		1,144,387	
(5)	Special Federal Litigation Fund		1,000,000	
	Total Office of the Attorney General.....	6,909,628	2,144,387	9,054,015
15. AUCTIONEERS, ALABAMA STATE BOARD OF:				
(a)	Professional and Occupation- al Licensing and Regulation Program			80,884
	SOURCE OF FUNDS:			
(1)	State Board of Auctioneers Fund.....		80,884	
	Total Alabama State Board of Auctioneers		80,884	80,884
16. AUDITOR, STATE:				
(a)	Fiscal Management Program			868,418
	SOURCE OF FUNDS:			
(1)	State General Fund	868,418		
	Total State Auditor	868,418		868,418
17. BANKING DEPARTMENT, STATE:				
(a)	Charter, License and Regulate Financial Institutions Program.....			3,663,000
	SOURCE OF FUNDS:			
(1)	Banking Assessment Fees		3,220,000	
	As provided in Section 5-2A-20, Code of Ala- bama 1975.			
(2)	Loan Examination Fund		443,000	
	As provided in Section			

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
5-2A-24, Section 5-16-38.1, and Section 5-18-5, Code of Alabama 1975.				
Total State Banking Department			3,663,000	3,663,000
18. BAR ASSOCIATION, ALABAMA STATE:				
(a) Professional and Occupational Licensing and Regulation Program				1,795,069
SOURCE OF FUNDS:				
(1) State Bar Association Fund			1,256,549	
As provided in Section 34-3-4 and Section 34-3-44, Code of Alabama 1975.				
(2) Federal and Local Funds			538,520	
As provided in Sections 34-3-44, 34-3-17 and 34-3-18, Code of Alabama 1975.				
Total Alabama State Bar Association			1,795,069	1,795,069
19. BEAR CREEK DEVELOPMENT AUTHORITY:				
(a) Water Resource Development Program				52,588
SOURCE OF FUNDS:				
(1) State General Fund		52,588		
Total Bear Creek Development Authority		52,588		52,588
20. BUILDING COMMISSION, STATE:				
(a) Special Services Program				1,631,259
SOURCE OF FUNDS:				
(1) State General Fund		864,238		
(2) Federal and Local Funds			767,021	
Total State Building Commission		864,238	767,021	1,631,259
21. BUILDING RENOVATION FINANCE AUTHORITY,				

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
ALABAMA:				
(a)	Administrative Support Services Program			5,278,127
(b)	Capital Outlay Program.....			900,000
SOURCE OF FUNDS:				
(1)	Departmental Receipts, Estimated.....		6,178,127	
	Total Alabama Building Renovation Finance Authority		6,178,127	6,178,127
22. CAHAWBA ADVISORY COMMITTEE:				
(a)	Historical Resources Management Program.....			9,209
SOURCE OF FUNDS:				
(1)	State General Fund	9,209		
	Total Cahawba Advisory Committee.....	9,209		9,209
23. CHILD ABUSE AND NEGLECT PREVENTION BOARD:				
(a)	Social Services Program			704,698
	In accordance with Sections 26-16-1 et seq., <u>Code of Alabama 1975</u> .			
SOURCE OF FUNDS:				
(1)	State General Fund-Transfer.....	389,698		
(2)	Children's Trust Fund, Estimated.....		315,000	
	Total Child Abuse and Neglect Prevention Board	389,698	315,000	704,698
24. CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:				
(a)	Professional and Occupational Licensing and Regulation Program			99,650
SOURCE OF FUNDS:				
(1)	Alabama State Board of Chiropractic Examiner's Fund.....		99,650	
	As provided in Section 34-24-143, <u>Code of Alabama 1975</u> .			
	Total Alabama State Board of Chiropractic Examiners.....		99,650	99,650

		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
25. CHOCCOLOCCO CREEK WATER- SHED CONSERVANCY DISTRICT:				
(a)	Water Development Program			9,643
SOURCE OF FUNDS:				
	(1) State General Fund	9,643		
	Total Choccolocco Creek Watershed Conservancy District	9,643		9,643
26. CHOCTAWHATCHEE-PEA RIVER CONSERVANCY OR SUCCESSOR WATERSHED MANAGEMENT AUTHORITY:				
(a)	Water Development Program			50,000
SOURCE OF FUNDS:				
	(1) State General Fund	50,000		
	Total Choctawhatchee-Pea River Conservancy	50,000		50,000
In addition to the above appropriation, there is hereby conditionally appropriated the sum of \$376,000 from the State General Fund to match federal funds for the fiscal year ending September 30, 1992; said appropriation is to be conditioned on the availability of funds in the State General Fund and upon approval of the Governor.				
27. CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:				
(a)	State Land Management Program			925,890
(b)	Outdoor Recreation Sites and Services Program			28,417,378
(c)	Marine Police Program			3,433,509
(d)	Wildlife Game and Fish Program			16,983,080
(e)	Marine Resources Program			2,237,000
(f)	Administrative Services Program			3,834,147
(g)	Capital Outlay Program			983,500
The appropriation to the				

Fund Sources Included In Appropriation Total			
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
<p>Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.</p>			
SOURCE OF FUNDS:			
(1) State General Fund- Transfer.....	1,000,000		
(2) Game and Fish Fund- Licenses, Fines, Fees, Interest Income and Other Departmental Receipts.....		12,899,580	
(3) Game and Fish Fund- Federal and Local Funds		4,955,000	
(4) State Lands Fund		1,037,890	
The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.			
(5) Marine Resources Fund-Licenses, Taxes, Fines and Other Depart- mental Receipts		1,377,000	
(6) Marine Resources Fund-Federal and Local Funds.....		860,000	
In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Com- missioner of Conservation on such Marine Re- sources Division pro- grams or projects which he deems appropriate.				
(7)	Marine Police Fund- Licenses, Fines, Taxes and Other Depart- mental Receipts.....		2,888,509	
(8)	Marine Police Fund- Federal and Local Funds		545,000	
(9)	State Parks Fund.....		400,000	
(10)	Parks Revolving Fund.		23,017,378	
(11)	State Parks Fund- Cigarette Tax		4,000,000	
(12)	Administrative Funds.....		3,834,147	
The funds hereinabove appropriated shall be payable as provided in Section 9-2-1 et seq., <u>Code of Alabama 1975.</u>				
Total Department of Conser- vation and Natural Resources.....		1,000,000	55,814,504	56,814,504

28. CONTRACTORS, STATE
LICENSING BOARD FOR
GENERAL:

(a)	Professional and Occupa- tional Licensing and Regulation Program		513,252
SOURCE OF FUNDS:			
(1)	State Licensing Board for General Contractors Fund.....	513,252	
Pursuant to Section 34-8- 25, <u>Code of Alabama</u> <u>1975.</u> In addition to the amounts appropriated hereinabove to the State Licensing Board for Gen- eral Contractors, there is hereby appropriated such an amount as may be			

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	Fund Sources Included In Appropriation Total	
	General Fund	Earmarked Funds
		Appropriation Total
necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.		
Total State Licensing		
Board for General		
Contractors.....	513,252	513,252

**29. CORRECTIONS, DEPARTMENT
OF:**

- (a) Administrative Services
and Logistical Support
Program 10,607,699
- (b) Institutional Services
Corrections Program 133,020,062
- (c) Correctional Agricultural
and Industries Program 16,289,525

The Department of Cor-
rections shall not utilize any
portion of its State General
Fund appropriation to support
the Correctional Industries
Program, for either the
agribusiness element or the
industries element.

SOURCE OF FUNDS:

- (1) State General Fund 134,409,377
- (2) Department of
Corrections Fund..... 24,357,909

The above figure
24,357,909 includes
\$636,956 of fiscal year
1989-90 funds. Any law
to the contrary not-
withstanding, it is the
intent of the Legislature
that any of said fiscal
year 1989-90 funds not
expended in fiscal year
1990-91 shall not revert,
but shall remain in the
Department of Correc-
tions fund and are hereby
appropriated for the
operations of the depart-
ment. The Commis-
sioner of the Department

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
	of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.			
(3)	Drug Demand Reduction Fund		150,000	
	In accordance with Act 90-655, 1990 Regular Session of the Alabama Legislature.			
(4)	Correctional Industries Fund-Transfer		1,000,000	
	The above transfer shall be made from the Correctional Industries Fund (No. 432) to the Department of Corrections Fund (No. 382) in the fourth fiscal quarter of fiscal year 1991-92.			
	Total Department of Corrections	134,409,377	25,507,909	159,917,286
30.	COSMETOLOGY, ALABAMA BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program.			694,000
	SOURCE OF FUNDS:			
(1)	Alabama Board of Cosmetology Fund		694,000	
	As provided in Section 34-7-42, Code of Alabama 1975.			
	Total Alabama Board of Cosmetology		694,000	694,000
31.	COUNSELING, ALABAMA BOARD OF EXAMINERS IN:			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
(a)	Professional and Occupational Licensing and Regulation Program			100,750
	SOURCE OF FUNDS:			
(1)	Alabama Board of Examiners in Counseling Fund		100,750	
	As provided in Section 34-8A-6, Code of Alabama 1975.			
	Total Alabama Board of Examiners in Counseling		100,750	100,750
32.	CREDIT UNION ADMINISTRATION, ALABAMA:			
(a)	Charter, License and Regulate Financial Institutions Program			583,856
	SOURCE OF FUNDS:			
(1)	Alabama Credit Union Administration Fund		583,856	
	As provided in Section 5-17-7, Code of Alabama 1975.			
	Total Alabama Credit Union Administration		583,856	583,856
33.	CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:			
(a)	Special Services Program, Estimated			846,100
	SOURCE OF FUNDS:			
(1)	Alabama Crime Victims Compensation Commission Fund, Estimated		846,100	
	To be expended in accordance with Sections 15-23-1 through 15-23-26, Code of Alabama 1975.			
	Total Alabama Crime Victims Compensation Commission		846,100	846,100
34.	CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:			
(a)	Criminal Justice Information Services Program			4,347,197

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:				
(1) State General Fund	2,916,097			
(2) Federal and Local Funds			1,431,100	
Total Alabama Criminal Justice Information Center.....	2,916,097	1,431,100		4,347,197
35. DEVELOPMENT OFFICE, ALABAMA:				
(a) Promotional Development Program - Alabama Film Commission.....				294,082
(b) Administrative Services Program				202,791
(c) Industrial Development Program - Alabama Development Office.....				4,403,966
SOURCE OF FUNDS:				
(1) State General Fund- Alabama Development Office.....	4,203,966			
(2) State General Fund- Office of Minority Business	109,919			
(3) State General Fund- Small Business Office of Advocacy.....	92,872			
(4) State General Fund- Alabama Film Commission	294,082			
(5) Departmental Receipts			200,000	
Total Alabama Development Office	4,700,839	200,000		4,900,839
36. DIETETICS/NUTRITION PRACTICE, ALABAMA STATE BOARD OF EXAMINERS FOR:				
(a) Professional and Occupa- tional Licensing and Regulation Program				60,000
SOURCE OF FUNDS:				
(1) State Board of Dietetics/Nutrition Fund			60,000	
Total Alabama State Board of Examiners for Dietetics/ Nutrition Practice.....		60,000		60,000

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Fund Sources Included
In Appropriation Total

<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
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37. DISTRICT ATTORNEYS:

(a) Court Operations Program.	15,157,164
The proposed spending plan included in the above total is as follows:	
Salaries of District Attorneys .....3,217,493	
For the use of the elected Assistant District Attorney of the Bessemer Division of the 10th Judicial Circuit ..159,652	
Salaries and expenses of Supernumerary District Attorneys .....1,340,113	
For use in the District Attorney's Office of the following Judicial Circuits:	
1st Judicial Circuit	152,063
2nd Judicial Circuit	148,472
3rd Judicial Circuit	253,911
4th Judicial Circuit	472,688
5th Judicial Circuit	437,008
6th Judicial Circuit	329,463
7th Judicial Circuit	289,808
8th Judicial Circuit	199,466
9th Judicial Circuit	217,094
10th Judicial Circuit	549,596
11th Judicial Circuit	143,679
12th Judicial Circuit	374,956
13th Judicial Circuit	558,554
14th Judicial Circuit	193,161
15th Judicial Circuit	592,928
16th Judicial Circuit	282,237
17th Judicial Circuit	182,830
18th Judicial Circuit	348,516
19th Judicial Circuit	235,639
20th Judicial Circuit	261,605
21st Judicial Circuit	199,311
22nd Judicial Circuit	172,426
23rd Judicial Circuit	407,144
24th Judicial Circuit	140,551
25th Judicial Circuit	164,558
26th Judicial Circuit	242,703
27th Judicial Circuit	217,243
28th Judicial Circuit	285,483
29th Judicial Circuit	281,468
30th Judicial Circuit	272,108
31st Judicial Circuit	159,844
32nd Judicial Circuit	215,716
33rd Judicial Circuit	176,190

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
34th Judicial Circuit	....122,283			
35th Judicial Circuit	....145,564			
36th Judicial Circuit	....141,555			
37th Judicial Circuit	....232,900			
38th Judicial Circuit	....188,608			
39th Judicial Circuit	....178,895			
Travel Expenses of District Attorneys	.....75,000			
Investigators Subsistence-Section 36-21-2, Code of Alabama 1975	.....196,682			
SOURCE OF FUNDS:				
(1) State General Fund	.....	14,472,005		
(2) State General Fund - Act 90-111, Judicial Compensation Report	.....	685,159		
Total District Attorneys	.....	15,157,164		15,157,164

38. ECONOMIC AND COMMUNITY
AFFAIRS, ALABAMA
DEPARTMENT OF:

(a) Administrative Support Services Program	.....			8,021,224
(b) Planning Program	.....			31,008,039
Of the above appropriation, \$800,000 shall be spent for the Regional Planning Com- missions and shall be dis- tributed to community action administering agencies based on their populations below the poverty level.				
(c) Special Services Program	.....			20,647,000
(d) Skills Enhancement and Employment Opportunities Program	.....			73,229,620
(e) Energy Management Program	.....			4,734,281
(f) Traffic Control and Accident Prevention Program	.....			2,831,099
(g) Law Enforcement Planning and Development Program	.....			10,597,586
(h) Surplus Property Program	.....			1,647,092
SOURCE OF FUNDS:				
(1) State General Fund	.....	7,210,820		
(2) Federal and Local Funds	.....		136,086,805	
(3) Administrative Transfers and Other Departmental Receipts		7,821,224	
(4) Administrative Transfers from Federal-Donated			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
	Surplus Property Sales.....		951,855	
(5)	Administrative Transfers from State-Owned Surplus Property Sales		645,237	
	Total Alabama Department of Economic and Community Affairs	7,210,820	145,505,121	152,715,941
39. EDUCATION, DEPARTMENT OF:				
(a)	Rehabilitation Services Program			5,415,674
	SOURCE OF FUNDS:			
(1)	State General Fund- Homebound	1,928,600		
(2)	State General Fund-Eye Injury Register	48,215		
(3)	Federal and Local Funds		3,438,859	
	Total Department of Education	1,976,815	3,438,859	5,415,674
40. ELECTRICAL CONTRACTORS, BOARD OF:				
(a)	Professional and Occupa- tional Licensing and Regulation Program			94,000
	SOURCE OF FUNDS:			
(1)	Electrical Contractors Board Fees		94,000	
	As provided in Section 34-36-17, Code of Ala- bama 1975.			
	Total Board of Electrical Contractors.....		94,000	94,000
41. ELK RIVER DEVELOPMENT AGENCY:				
(a)	Water Resource Development Program			4,113
	SOURCE OF FUNDS:			
(1)	State General Fund	4,113		
	Total Elk River Development Agency.....	4,113		4,113
42. EMERGENCY MANAGEMENT AGENCY:				
(a)	Readiness and Recovery Program			15,194,266

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
(b) Transfer to County Emergency Management Agencies.....				350,000
The above appropriation of \$350,000 is to be in addition to the regular allocations to county emergency manage- ment agencies.				
SOURCE OF FUNDS:				
(1) State General Fund		1,238,686		
(2) Federal and Local Funds			14,305,580	
Total Emergency Management Agency.....		1,238,686	14,305,580	15,544,266
43. ENERGY BOARD, SOUTHERN STATES:				
(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program				26,180
SOURCE OF FUNDS:				
(1) State General Fund		26,180		
Total Southern States Energy Board.....		26,180		26,180
44. ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:				
(a) Professional and Occupa- tional Licensing and Regulation Program				530,120
SOURCE OF FUNDS:				
(1) Professional Engineers Fund			530,120	
As provided in Section 34-11-36, Code of Ala- bama 1975.				
Total State Board of Regis- tration for Professional Engineers and Land Surveyors.....			530,120	530,120
45. ENVIRONMENTAL MANAGE- MENT, DEPARTMENT OF:				
(a) Environmental Management Program				54,470,306

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
SOURCE OF FUNDS:				
(1) State General Fund- Transfer.....	5,729,669			
(2) State General Fund- Transfer to Water Pollution Control Authority	1,100,000			
(3) State General Fund- Transfer to Hazardous Substance Cleanup Fund	50,000			
(4) Environmental Management Fines and Fees..... As provided in Section 22-22A-11, <u>Code of Ala- bama 1975.</u>			6,791,699	
(5) Federal and Local Funds			9,798,938	
(6) Federal Match-Water Pollution Control Authority.....			26,600,000	
(7) Transfer from Under- ground Storage Tank Trust Fund			400,000	
As provided in Section 22-35-9, <u>Code of Ala- bama 1975.</u>				
(8) Underground Storage Trust Fund Fees..... As provided in Section 22- 35-5, <u>Code of Alabama 1975.</u>			4,000,000	
Total Department of Environ- mental Management.....		<u>6,879,669</u>	<u>47,590,637</u>	<u>54,470,306</u>
46. ETHICS COMMISSION, ALABAMA:				
(a) Regulation of Public Officials and Employees Program				409,845
SOURCE OF FUNDS:				
(1) State General Fund	409,845			
Total Alabama Ethics Commission	409,845			409,845
47. FARMERS' MARKET AUTHORITY:				
(a) Agricultural Development Services Program				505,541

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Earmarked Funds	
(b) Capital Outlay Program.....			343,308
SOURCE OF FUNDS:			
(1) State General Fund	412,238		
(2) Farmers' Market Authority Fund		436,611	
Total Farmers' Market Authority	412,238	436,611	848,849
48. FINANCE, DEPARTMENT OF:			
(a) Fiscal Management Program...			4,945,939
(b) Administrative Support Services Program			4,351,395
SOURCE OF FUNDS:			
(1) State General Fund	9,125,141		
(2) Miscellaneous Funds.....		172,193	
Total Department of Finance	9,125,141	172,193	9,297,334
49. FINANCE, DEPARTMENT OF - AIR TRANSPORTATION:			
(a) Administrative Support Services Program			1,784,039
SOURCE OF FUNDS:			
(1) State General Fund- Transfer	1,207,131		
(2) Departmental Receipts, Estimated		576,908	
Total Department of Finance - Air Transportation.....	1,207,131	576,908	1,784,039
50. FINANCE, DEPARTMENT OF - CAPITOL COMPLEX MAINTENANCE AND REPAIR:			
(a) Administrative Support Services Program			8,614,693
SOURCE OF FUNDS:			
(1) Capitol Complex Revolving Fund.....		8,614,693	
Total Department of Finance - Capitol Complex Maintenance and Repair		8,614,693	8,614,693
51. FINANCE, DEPARTMENT OF - DATA CENTER REVOLVING FUND:			
(a) Administrative Support Services Program			22,000,495

		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
			Appropriation Total
SOURCE OF FUNDS:			
(1) Data Center Revolving Fund		22,000,495	
Total Department of Finance - Data Center Revolving Fund		22,000,495	22,000,495
It is the intent of the Legislature that the Data Systems Management Divi- sion-Department of Finance shall absorb \$180,000 in increased computer time usage for the State Personnel Department and shall con- tinue to loan five (5) clerical employees to the State Per- sonnel Department resulting from the implementation of Government Human Re- sources System (GHRIS) for the fiscal year beginning October 1, 1991.			
52. FINANCE, DEPARTMENT OF - RISK MANAGEMENT:			
(a) Administrative Support Services Program			1,717,743
SOURCE OF FUNDS:			
(1) State Insurance Fund- Admin.....		1,202,420	
As provided in Sections 41-15-1 et seq., Code of Alabama 1975.			
(2) General Liability Trust Administrative Fund.....		515,323	
As provided in Sections 36-1-6.1, et seq., Code of Alabama 1975.			
Total Department of Finance - Risk Management.....		1,717,743	1,717,743
53. FINANCE, DEPARTMENT OF - CENTRAL MAIL AND SUPPLY:			
(a) Administrative Support Services Program			6,155,880
SOURCE OF FUNDS:			
(1) Mail and Supply Revolving Fund.....		6,155,880	
Total Department of			

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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
			Appropriation Total
	Finance - Central Mail and Supply.....		6,155,880
			6,155,880
54.	FINANCE, DEPARTMENT OF - MOTOR POOL:		
(a)	Administrative Support Services Program		2,094,185
	SOURCE OF FUNDS:		
(1)	Motor Pool Revolving Fund	2,094,185	
	Total Department of Finance - Motor Pool	2,094,185	2,094,185
55.	FINANCE, DEPARTMENT OF - PRINTING AND PUBLICATIONS:		
(a)	Administrative Support Services Program		6,249,289
	SOURCE OF FUNDS:		
(1)	Printing and Publica- tions Revolving Fund	6,249,289	
	Total Department of Finance - Printing and Publications.....	6,249,289	6,249,289
56.	FINANCE, DEPARTMENT OF - TELEPHONE REVOLVING FUND:		
(a)	Administrative Support Services Program		12,362,184
	SOURCE OF FUNDS:		
(1)	State General Fund- Transfer.....	1,747,312	
(2)	Telephone Revolving Fund, Est.....	10,614,872	
	Total Department of Finance - Telephone Revolving Fund	1,747,312	12,362,184
57.	FOREIGN TRADE RELATIONS COMMISSION:		
(a)	Special Services Program.....		100,514
	SOURCE OF FUNDS:		
(1)	State General Fund	100,514	
	Total Foreign Trade Relations Commission	100,514	100,514
58.	FORENSIC SCIENCES, DEPART- MENT OF:		
(a)	Forensic Science Services Program		7,448,697

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:			
(1) State General Fund	6,545,871		
(2) Federal and Local Funds		902,826	
Total Department of Forensic Sciences	6,545,871	902,826	7,448,697
59. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:			
(a) Professional and Occupa- tional Licensing and Regulation Program			45,000
SOURCE OF FUNDS:			
(1) Professional Foresters Fund.....		45,000	
As provided in Section 34-12-36, Code of Ala- bama 1975.			
Total Alabama State Board of Registration for Foresters.....		45,000	45,000
60. FORESTRY COMMISSION, ALABAMA:			
(a) Forest Resources Protection and Development Program			23,813,983
(b) People Against A Littered State.....			50,000
(c) Birmingham Metro Forestry Unit			100,000
SOURCE OF FUNDS:			
(1) State General Fund- Transfer.....	13,512,213		
(2) Federal and Local Fund		3,557,721	
(3) Forestry Commission Fund		6,894,049	
Total Alabama Forestry Commission	13,512,213	10,451,770	23,963,983
Of the above appropriation, \$2,572,752 shall be used for rural and community fire protection. Of the above ap- propriation, \$482,150 shall be used for forestry research, marketing, management and environmental improvement grants. There is hereby appropriated \$150,000 to the			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Forestry Commission for the purchase of Aircraft for forest fire surveillance for District 7 to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.				
61. FUNERAL SERVICE, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				150,000
SOURCE OF FUNDS:				
(1) Alabama Funeral Directors and Embalmers Fund.....			150,000	
As provided in Section 34-13-23, Code of Alabama 1975.				
Total Alabama Board of Funeral Service.....			150,000	150,000
62. GEOLOGICAL SURVEY:				
(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program				3,282,911
SOURCE OF FUNDS:				
(1) State General Fund	2,433,263			
(2) Federal and Local Funds			849,648	
Total Geological Survey	2,433,263		849,648	3,282,911
63. GORGAS MEMORIAL BOARD:				
(a) Historical Resources Management Program.....				4,822
SOURCE OF FUNDS:				
(1) State General Fund	4,822			
As provided in Section 41-9-220, Code of Alabama 1975, and an additional amount.				
Total Gorgas Memorial Board	4,822			4,822

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
64. GOVERNOR'S CONTINGENCY FUND:				
(a)	Executive Direction Program.....			645,279
	SOURCE OF FUNDS:			
	(1) State General Fund	645,279		
	Total Governor's Contingency Fund	645,279		645,279
65. GOVERNOR'S MANSION ADVISORY BOARD:				
(a)	Historical Resources Management Program.....			17,979
	SOURCE OF FUNDS:			
	(1) State General Fund	8,749		
	(2) Governor's Mansion Advisory Board Fund.....		9,230	
	Total Governor's Mansion Advisory Board	8,749	9,230	17,979
66. GOVERNOR'S MANSION:				
(a)	Executive Direction Program.....			194,166
	SOURCE OF FUNDS:			
	(1) State General Fund	194,166		
	Total Governor's Mansion	194,166		194,166
67. GOVERNOR'S OFFICE:				
(a)	Executive Direction Program.....			1,686,207
	SOURCE OF FUNDS:			
	(1) State General Fund	1,686,207		
	Total Governor's Office.....	1,686,207		1,686,207
68. GOVERNOR'S OFFICE ON VOLUNTEERISM:				
(a)	Executive Direction Program.....			84,769
	SOURCE OF FUNDS:			
	(1) State General Fund	84,769		
	Total Governor's Office on Volunteerism.....	84,769		84,769
69. HEALTH, DEPARTMENT OF PUBLIC:				
(a)	Personal Health Services Program			96,800,105

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
(b)	Health Support Services Program			90,365,735
	Of the amount appropriated to support local health depart- ment services, \$5,000,000 shall be used to provide a minimum staff in each of the 67 counties and the remaining shall be allocated to the counties on the basis of need and a match formula to be determined by the Depart- ment.			
(c)	Administrative Services Program			12,506,899
	SOURCE OF FUNDS:			
	(1) State General Fund	28,937,727		
	(2) Cigarette Tax-\$0.01 and \$0.02		2,632,060	
	As provided in Section 40-25-2 and Section 40- 25-23, <u>Code of Alabama</u> 1975.			
	(3) Vital Statistics Fund		1,130,000	
	(4) Hospital Licensing Fund		518,063	
	(5) Emergency Medical Services Fund		50,000	
	As provided in Section 22-18-4, <u>Code of Ala- bama 1975.</u>			
	(6) Local Health Departments.....		61,132,319	
	(7) Nuclear Monitoring Fund		158,247	
	(8) Radiation Safety Fund		139,438	
	(9) Miscellaneous Funds.....		15,918,891	
	(10) Federal Funds		89,055,994	
	Total Department of Public Health	28,937,727	170,735,012	199,672,739
	Of the above appropriation to the Department of Public Health, at least \$2,000,000 shall be spent on perinatal projects. The Department of Public Health will reimburse to the Alabama Medicaid Agency the state match necessary to cover increased revenues for services as a result of fee			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
increases. The Department of Public Health will be responsible to the Alabama Medicaid Agency for any disallowance of Public Health Department costs as a result of federal or state audit.				
70. HEALTH PLANNING AGENCY, STATE:				
(a) Health Planning Development and Regulation Program				872,803
SOURCE OF FUNDS:				
(1) State General Fund	322,803			
(2) Certificate of Need Fees			500,000	
(3) Departmental Receipts			50,000	
Total State Health Planning Agency	322,803	550,000		872,803
71. HEARING AID DEALERS, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				55,202
SOURCE OF FUNDS:				
(1) State Board of Health - Hearing Aid Fund			55,202	
As provided in Section 34-14-33, Code of Alabama 1975.				
Total Alabama Board of Hearing Aid Dealers			55,202	55,202
72. HEATING AND AIR CONDITIONING CONTRACTORS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				231,500
SOURCE OF FUNDS:				
(1) Heating and Air Conditioning Contractors Fund			231,500	
Total Board of Heating and Air Conditioning Contractors ..			231,500	231,500

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
73. HERITAGE TRUST FUND, ALABAMA:				
(a)	Fiscal Management Program...			20,000
SOURCE OF FUNDS:				
(1)	Heritage Trust Income		20,000	
Total Alabama Heritage Trust Fund.....			20,000	20,000
74. HIGHWAY DEPARTMENT:				
(a)	Central Administration Program			15,052,239
(b)	Division and District Supervision Program			24,814,231
(c)	Operations and Support Services Program			9,501,750
(d)	Maintenance Program.....			151,806,046
(e)	Non-Programmatic Programs ..			21,029,568
Proposed spending plan for the above (e) includes the following:				
	Debt Service.....15,111,595			
	Road Machinery and Equipment.....1,152,500			
	Equipment-Other than Automotive.....4,765,473			
(f)	Construction-Federal Aid Program			291,568,744
Proposed spending plan for the above (f) includes the following:				
	Federal Aid Matching.....39,352,929			
	Non-Participating Work on Federal Projects .....1,000,000			
	Federal Aid .....251,215,815			
(g)	Construction-State Program			25,125,000
(h)	Operations-Land and Buildings			2,132,000
(i)	Captive County Health Insurance.....			168,480
SOURCE OF FUNDS:				
(1)	State General Fund- Transfer.....	221,533		
(2)	Public Road and Bridge Fund		289,760,710	
(3)	Federal Aid		251,215,815	
There is hereby appro- priated, for payment of				

Fund Sources Included
In Appropriation Total

<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
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the principal of and the interest on all bonds theretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of \$15,111,595 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the State Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

(1) the appropriations made for Debt Service in

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	Fund Sources Included In Appropriation Total		
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
<p>Subsection (e) hereof shall be paid in full, (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available. The Highway Department shall construct turn lanes, north and south, on Highway 31 at Lawson Trailer Park in Limestone County.</p>			
Total Highway Department....	221,533	540,976,525	541,198,058
In addition to the above appropriation to the Highway Department, there is hereby appropriated the sum of \$350,000 from any sources			

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Fund Sources Included
In Appropriation Total

<u>General</u> <u>Fund</u>	<u>Earmarked</u> <u>Funds</u>	<u>Appropriation</u> <u>Total</u>
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available to the Highway Department as the state match for additional federal mass transit funds to purchase capital equipment (rolling stock) for the state mass transportation program and for an insurance and/or self-insurance program.

**75. HISTORIC BLAKELEY
AUTHORITY:**

(a) Historical Resources Management Program.....		303,899
SOURCE OF FUNDS:		
(1) State General Fund	303,899	
Total Historic Blakeley Authority	303,899	303,899
Any law to the contrary notwithstanding, any funds encumbered for capital outlay purposes by the Historic Blakeley Authority shall not revert to the State General Fund but shall be carried over from previous fiscal years to be used for said capital outlay purposes.		

**76. HISTORIC CHATTAHOOCHEE
COMMISSION:**

(a) Historical Resources Management Program.....		136,931
SOURCE OF FUNDS:		
(1) State General Fund	136,931	
Total Historic Chattahoochee Commission	136,931	136,931

**77. HISTORICAL COMMISSION,
ALABAMA:**

(a) Historical Resources Management Program.....		2,672,974
(b) Capital Outlay Program.....		48,215
SOURCE OF FUNDS:		
(1) State General Fund-Transfer.....	1,329,041	
The above appropriation shall be distributed as follows:		

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Earmarked Funds	
Historical Commission, Ala- bama.....	669,416		
Historical Commission, Ala- bama- La Grange.....	7,496		
Historical Commission, Ala- bama- Magnolia Grove.....	36,643		
Historical Commission, Ala- bama- Fort Morgan	174,538		
Historical Commission, Ala- bama- Fort Morgan-Capital Outlay	48,215		
Historical Commission, Ala- bama- Fort Toulouse	106,356		
Historical Commission, Ala- bama- John T. Morgan House, Selma.....	11,051		
Historical Commission, Ala- bama- Cahaba	144,645		
Historical Commission, Ala- bama- Gaineswood.....	71,595		
Historical Commission, Ala- bama- St. Stephens	10,000		
Main Street.....	49,086		
(2) Soldiers Fund		176,167	
As provided in Section 40-8-3, Code of Alabama 1975.			
(3) Alabama State Histori- cal Preservation Fund- Departmental Receipts.....		694,979	
(4) Federal and Local Funds		521,002	
Total Alabama Historical Commission.....	1,329,041	1,392,148	2,721,189

78. HUMAN RESOURCES,
DEPARTMENT OF:

(a) Human Services Program.....	360,797,179
It is the intent of the Legislature that allotments be made to the County Departments of Human Resources in the amount of \$165,500 to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on	

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Fund Sources Included In Appropriation Total			
	General Fund	Earmarked Funds	Appropriation Total
the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000.			
SOURCE OF FUNDS:			
(1) State General Fund- Transfer.....	38,696,915		
(2) Federal and Local Funds		225,202,230	
(3) ABC Profits		1,100,000	
(4) Whiskey Tax		20,500,000	
(5) Beer Tax.....		8,600,000	
(6) Pension Residue		18,000,000	
(7) Sales Tax		1,322,000	
(8) Franchise Tax		16,775,000	
(9) Child Support Collections.....		4,301,034	
(10) Sales Tax for Food Stamps, Est. In accordance with Sec- tion 40-23-35, <u>Code of</u> <u>Alabama 1975</u> .		19,800,000	
(11) Cigarette Tax		4,000,000	
(12) Contractor's Gross Receipts Tax		2,500,000	
Total Department of Human Resources	38,696,915	322,100,264	360,797,179

Of the above State General Fund appropriation, at least \$454,852 shall be used to increase foster care payments by 6.4% in fiscal year 1992. Such increase will be made in fiscal year 1992 to allow for the initial implementation of a four-year phase-in designed to bring Alabama to the South-eastern payment average in the foster care program. Of the above State General Fund appropriation, at least \$5,602,613 shall be used to increase total benefit payments of Aid to Families with Dependent Children (AFDC) by 16% in fiscal year 1992. Such increase will be made in fiscal year 1992 to allow for the initial implementation of a

		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
four-year phase-in designed to bring Alabama to the South-eastern payment average in the AFDC program.				
79.	INDIAN AFFAIRS COMMISSION, ALABAMA:			
	(a) Social Services Program			197,332
	The above appropriation is to be expended in accordance with Sections 41-9-708 et seq., <u>Code of Alabama 1975</u> .			
	SOURCE OF FUNDS:			
	(1) State General Fund	197,332		
	Total Alabama Indian Affairs Commission.....	197,332		197,332
80.	INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:			
	(a) Industrial Development Program			100,000
	SOURCE OF FUNDS:			
	(1) SIDA Application Fees Fund		100,000	
	Total State Industrial Development Authority.....		100,000	100,000
81.	INDUSTRIAL RELATIONS, DEPARTMENT OF:			
	(a) Employment Security Program			43,859,446
	(b) Industrial Safety and Accident Prevention Program			7,384,553
	Of the above appropriation \$90,000 shall be distributed to the Mine Academy at Walker State Technical College, and at least \$133,000 shall be expended for the enforcement of child labor laws.			
	(c) Administrative Services Program			11,301,020
	(d) Workmen's Compensation Program			658,880
	SOURCE OF FUNDS:			
	(1) State General Fund	1,372,914		
	(2) Federal and Local Funds		61,830,985	

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Total Department of Industrial Relations		1,372,914	61,830,985	63,203,899
82. INSURANCE, DEPARTMENT OF:				
(a) Regulatory Services Program				3,968,129
SOURCE OF FUNDS:				
(1) State General Fund	2,299,661			
(2) Fire Marshal's Fund		177,360		
As provided in Sections 34- 33-11 and 8-17-211, <u>Code of</u> <u>Alabama 1975.</u>				
(3) Examination Revolving Fund		1,491,108		
Total Department of Insurance	2,299,661	1,668,468		3,968,129
83. INSURANCE BOARD, STATE EMPLOYEES':				
(a) Administrative Support Services Program				543,095
SOURCE OF FUNDS:				
(1) State Employees' Insurance Board Expense Fund		543,095		
Total State Employees' Insurance Board		543,095		543,095
84. INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:				
(a) Professional and Occupational Licensing and Regulation Program				11,100
SOURCE OF FUNDS:				
(1) Interior Designer Fund As provided in Section 34-15A-7, <u>Code of Ala-</u> <u>bama 1975.</u>		11,100		
Total Alabama State Board of Registration for Interior Designers		11,100		11,100
85. LABOR, DEPARTMENT OF:				
(a) Regulatory Services Program				378,205
SOURCE OF FUNDS:				
(1) State General Fund	328,205			

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
(2) Federal and Local Funds			50,000	
Total Department of Labor.....		328,205	50,000	378,205
86. LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF:				
(a) Professional and Occupational Licensing and Regulation Program.....				29,762
SOURCE OF FUNDS:				
(1) Landscape Architect's Fund			29,762	
As provided in Section 34- 17-6, Code of Alabama 1975.				
Total Board of Examiners of Landscape Architects.....			29,762	29,762
87. LIEUTENANT GOVERNOR, OFFICE OF THE:				
(a) Legislative Operations and Support Program.....				646,945
SOURCE OF FUNDS:				
(1) State General Fund		646,945		
Total Office of the Lieutenant Governor		646,945		646,945
88. LIQUEFIED PETROLEUM GAS BOARD:				
(a) Regulatory Services Program				407,000
SOURCE OF FUNDS:				
(1) Liquefied Petroleum Gas Board Fund.....			407,000	
Total Liquefied Petroleum Gas Board			407,000	407,000
89. MANUFACTURED HOUSING COMMISSION, ALABAMA:				
(a) Regulatory Services Program.....				781,525
SOURCE OF FUNDS:				
(1) Alabama Manufactured Housing Commission Fund			781,525	
As provided in Section 24- 6-4, Code of Alabama 1975.				

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	<u>Fund Sources Included In Appropriation Total</u>	
	<u>General Fund</u>	<u>Earmarked Funds</u>
		<u>Appropriation Total</u>
Total Alabama Manufactured Housing Commission		
	781,525	781,525

**90. MEDICAID AGENCY,
ALABAMA:**

(a) Medical Assistance Through Medicaid Program.....			1,578,578,219
The Medicaid Agency will reimburse the Department of Public Health for actual costs (in compliance with OMB Circular A.87 and Health Care Financing Administra- tion guidelines) for services provided.			
SOURCE OF FUNDS:			
(1) State General Fund	137,544,802		
(2) Transfer from Department of Human Resources		9,916,738	
(3) Transfer from Mental Health		40,713,723	
(4) Transfer from Commission on Aging		2,974,870	
(5) Transfer from Department of Public Health		8,270,278	
(6) Transfer from Department of Youth Services		15,473	
(7) Indigent Care Trust Fund.		48,000,000	
(8) Alabama Health Care Trust Fund		172,700,000	
(9) Departmental Receipts.....		720,000	
(10) Federal and Local Funds		1,142,675,575	
(11) Unencumbered Balance Brought Forward		15,046,760	
Total Alabama Medicaid Agency	137,544,802	1,441,033,417	1,578,578,219

In addition to the above
appropriation, there is also
appropriated any local funds or
transfers from other state de-
partments as may become
available to facilitate the re-
ceipt of matching federal funds
in order to maximize federal
participation in existing pro-
grams under Medicaid.

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
91.	MEN'S HALL OF FAME, ALABAMA:			
(a)	Historical Resources Management Program.....			4,822
	SOURCE OF FUNDS:			
	(1) State General Fund	4,822		
	Total Men's Hall of Fame.....	4,822		4,822
92.	MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:			
(a)	Institutional Treatment and Care-Mental Illness Program			107,354,404
(b)	Institutional Treatment and Care-Mental Retardation Program			79,459,808
(c)	Institutional Treatment and Care-Criminally Insane Program			6,400,980
(d)	Administrative Services Program			12,030,994
(e)	Community Services Program			100,738,880
	(1) Mental Illness Services .....46,637,266			
	(2) Substance Abuse Service .....23,306,381			
	The above appropriations for Mental Illness and Substance Abuse shall be allocated by the DMH/MR to Regional Commu- nity Mental Health Boards established under Section 22- 51-2, Code of Alabama, 1975. First priority for appropriated funds shall be the development of a comprehensive array of services for the seriously men- tally ill, seriously emotionally disturbed, and seriously ad- dicted populations. Such services shall be provided according to a plan developed by DMH/MR in full and explicit cooperation with com- munity boards that recognizes community needs and DMH/ MR obligations with respect to			

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
the Wyatt Consent Decree, Federal Block Grant allocation rules, and operational funding of facilities constructed with bond issue proceeds.			
(3) Mental Retardation Services			30,795,233
SOURCE OF FUNDS:			
(1) State General Fund- Transfer.....	59,208,664		
(2) Special Mental Health Trust Fund		103,000,000	
For Operations and Main- tenance of the State Mental Health and Mental Retardation Department and the Mental Health and Mental Retardation Com- munity Programs, includ- ing the purchase of drugs for medically indigent mental patients not hospi- talized at time of receiving drugs at the Alabama state hospitals.			
(3) Transfer from ABC Profits		1,000,000	
(4) Cigarette Tax		3,500,000	
(5) Departmental Receipts.....		8,394,890	
(6) Federal and Local Funds		130,881,512	
Total Department of Mental Health and Mental Retardation	59,208,664	246,776,402	305,985,066

93. MILITARY DEPARTMENT:

(a) Military Operations				
Program			5,830,512	
(b) Capital Outlay Program.....			464,350	
SOURCE OF FUNDS:				
(1) State General Fund-				
Operations.....	1,750,699			
(2) State General Fund-				
Quarterly Allowances				
Headquarters.....	1,474,500			
(3) State General Fund- Capital Outlay for Architect				
and Engineering Services,				
Specifications, Repair and				
Construction of Facilities..	464,350			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
The above appropriation shall include funding for the construction of an armory in Brewton in Escambia County.				
(4)	State General Fund-Active Military Service	35,107		
(5)	State General Fund-Transfer to Armory Commission	2,562,248		
(6)	State General Fund-Dropping Allowance	4,213		
(7)	State General Fund-State Defense Force	3,745		
Total Military Department		6,294,862		6,294,862
94. MILITARY DEPARTMENT - ARMORY COMMISSION OF ALABAMA:				
(a)	Military Operations Program			6,400,380
SOURCE OF FUNDS:				
(1)	Transfer from Military Department	2,562,248		
(2)	Federal and Local Funds	3,730,293		
(3)	Military Department Billeting Revolving Fund, Estimated	61,239		
(4)	Departmental Receipts	46,600		
The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care, maintenance and construction of facilities; provided, however, that the last federal government service contract reimbursement shall not revert to the State General Fund and any unobligated balance remaining thereof in the Armory Commission Fund at the end of the fiscal year in				

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
excess of \$50,000 shall be transferred to the State General Fund.				
Total Armory Commission of Alabama.....			6,400,380	6,400,380
<hr/>				
95. MOTOR SPORTS HALL OF FAME:				
(a) Historical Resources Management Program.....				128,294
SOURCE OF FUNDS:				
(1) State General Fund		128,294		
Total Motor Sports Hall of Fame		128,294		128,294
<hr/>				
96. MUSIC HALL OF FAME, ALABAMA:				
(a) Fine Arts Program.....				212,487
SOURCE OF FUNDS:				
(1) State General Fund		212,487		
Total Alabama Music Hall of Fame		212,487		212,487
<hr/>				
97. NURSING, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program.				1,636,009
SOURCE OF FUNDS:				
(1) Alabama Board of Nursing Trust Fund.....			1,636,009	
As provided in Sections 34-21-1 through 34-21-43, Code of Alabama 1975.				
Total Alabama Board of Nursing.....			1,636,009	1,636,009
<hr/>				
98. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:				
(a) Professional and Occupational Licensing and Regulation Program				75,000
SOURCE OF FUNDS:				
(1) Board of Examiners of Nursing Home Administrators Fund.....			75,000	

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		Fund Sources Included In Appropriation Total	
		General Fund	Appropriation Total
As provided in Section 34-20-7, Code of Alabama 1975.			
Total Board of Examiners of Nursing Home Administrators		75,000	75,000
99. OCCUPATIONAL THERAPY, ALABAMA STATE BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program.....			35,000
SOURCE OF FUNDS:			
(1) Board of Occupational Therapy Fund.....		35,000	
Total Alabama State Board of Occupational Therapy		35,000	35,000
100. OIL AND GAS BOARD:			
(a) Management and Regulation of Oil and Gas Exploration and Development Program.			2,766,098
(b) Capital Outlay Program.....			976,216
SOURCE OF FUNDS:			
(1) State General Fund		2,462,814	
(2) Oil and Gas Board Special Fund		1,269,500	
(3) Surety Bond Deposits, Estimated		10,000	
In accordance with Section 9-17-6, Code of Alabama 1975.			
Total Oil and Gas Board		2,462,814	3,742,314
101. PARDONS AND PAROLES, BOARD OF:			
(a) Administration of Pardons and Paroles Program.....			16,514,281
SOURCE OF FUNDS:			
(1) State General Fund		13,125,093	
(2) Probationers Upkeep Fund		3,389,188	
In accordance with Section 15-22-2, Code of Alabama 1975.			
Total Board of Pardons and Paroles.....		13,125,093	16,514,281

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
102.	PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:			
(a)	Retirement Systems			
	Program			397,604
	SOURCE OF FUNDS:			
	(1) Peace Officers' Annuity and Benefit Fund.....		397,604	
	As provided in Section 36-21-66, Code of Ala- bama 1975.			
	Total Alabama Peace Officers' Annuity and Benefit Fund.....		397,604	397,604
103.	PERSONNEL DEPARTMENT, STATE:			
(a)	Administrative Support Services Program			3,758,235
	SOURCE OF FUNDS:			
	Transfers to the State Person- nel Department shall be as follows:			
	(1) Board of Public Accountancy		338	
	(2) Department of Aeronautics.....		564	
	(3) Commission on Aging		2,256	
	(4) Department of Agriculture and Industries.....		49,135	
	(5) Agricultural and Conserva- tion Development Commission		113	
	(6) Agricultural Center Board		2,708	
	(7) Alcoholic Beverage Control Board.....		89,865	
	(8) Board of Registration for Architects.....		282	
	(9) Archives and History		6,713	
	(10) State Council on the Arts.....		1,410	
	(11) Attorney General's Office.....		16,585	
	(12) State Auditor.....		1,974	
	(13) State Banking Department.....		5,641	
	(14) Building Commission		2,426	
	(15) Child Abuse and Neglect Prevention Board.....		564	

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	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>General Fund</u>	<u>Earmarked Funds</u>	
(16) Chiropractic Examiners ...		113	
(17) Department of Conserva- tion and Natural Resources		152,652	
(18) State Licensing Board for General Contractors.....		733	
(19) Department of Correc- tions		350,659	
(20) Board of Cosmetology		1,692	
(21) Credit Union Admini- stration.....		733	
(22) Alabama Crime Victims Compensation Commis- sion.....		1,523	
(23) Criminal Justice Informa- tion Center		6,205	
(24) Alabama Development Office.....		4,851	
(25) State Docks.....		31,422	
(26) Department of Economic and Community Affairs ...		38,925	
(27) Department of Educa- tion		154,739	
(28) Electrical Contractors Board		56	
(29) Emergency Management Agency		5,077	
(30) Local Emergency Management		4,504	
(31) Employees' Insurance Board		903	
(32) Board of Registration for Professional Engineers and Land Surveyors		508	
(33) Department of Environ- mental Management		37,401	
(34) Ethics Commission.....		903	
(35) Examiners of Public Accounts		25,386	
(36) Farm Crisis and Transi- tion Program Commission		451	
(37) Farmers' Market Authority		282	
(38) Finance Department		68,090	
(39) Finance-Alabama Build- ing Renovation Finance Authority		1,580	
(40) Foreign Trade Relations Commission.....		169	
(41) Department of Forensic			

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
	Sciences.....		16,980	
(42)	Forestry Commission		51,222	
(43)	Funeral Services Board....		169	
(44)	Governor's Office		4,457	
(45)	Department of Public Health.....		337,402	
(46)	State Health Planning Agency.....		1,523	
(47)	Board of Heating and Air Conditioning Con- tractors.....		564	
(48)	Highway Department		483,172	
(49)	Alabama Historical Commission		7,052	
(50)	Department of Human Resources.....		482,890	
(51)	Alabama Indian Affairs Commission		282	
(52)	Department of Industrial Relations.....		194,510	
(53)	Insurance Department		7,277	
(54)	Judicial Inquiry Commission		56	
(55)	Department of Labor		903	
(56)	Legislative Reference Service		677	
(57)	Liquefied Petroleum Gas Board.....		959	
(58)	Manufactured Housing Commission		1,580	
(59)	Alabama Medicaid Agency.....		37,401	
(60)	Department of Mental Health and Mental Retardation.....		557,862	
(61)	Military Department.		23,862	
(62)	Board of Nursing.....		2,200	
(63)	Board of Examiners of Nursing Home Admini- strators.....		56	
(64)	Oil and Gas Board.....		13,257	
(65)	Pardons and Paroles		40,730	
(66)	Peace Officers' Annuity and Benefit Fund.....		282	
(67)	Peace Officers' Stan- dards and Training Commission		395	
(68)	Physical Fitness Com- mission.....		677	
(69)	Board of Physical Therapy.....		56	

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
(70)	Plumbers and Gas Fitters Examiners Board.....		846	
(71)	Public Library Service		7,503	
(72)	Department of Public Safety		139,508	
(73)	Public Service Commission		17,601	
(74)	Alabama Educational Television Commission		9,703	
(75)	Real Estate Commission...		2,031	
(76)	Retirement Systems.		16,924	
(77)	Department of Revenue ...		143,626	
(78)	Secretary of State.....		6,205	
(79)	Securities Commission.....		1,805	
(80)	Board of Social Work Examiners		169	
(81)	Soil and Water Conser- vation		395	
(82)	Surface Mining Commis- sion		4,005	
(83)	Bureau of Tourism and Travel.....		8,800	
(84)	State Treasurer		5,246	
(85)	Department of Veterans' Affairs.....		7,164	
(86)	Board of Veterinary Medical Examiners		169	
(87)	Voter Registration.....		113	
(88)	Department of Youth Services		47,838	
	Total State Personnel Department		3,758,235	3,758,235
104.	PHYSICAL THERAPY, BOARD OF:			
(a)	Professional and Occupa- tional Licensing and Regulation Program			82,093
	SOURCE OF FUNDS:			
(1)	Physical Therapist Fund		82,093	
	As provided in Section 34-24-195, Code of Ala- bama 1975.			
	Total Board of Physical Therapy		82,093	82,093
105.	PLUMBERS AND GAS FITTERS EXAMINING BOARD, ALABAMA:			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
(a) Professional and Occupational Licensing and Regulation Program				1,100,000
SOURCE OF FUNDS:				
(1) Board of Plumbers and Gas Fitters Examiners Fund			1,100,000	
Total Alabama Plumbers and Gas Fitters Examining Board			1,100,000	1,100,000
106. POLYGRAPH EXAMINERS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				15,000
SOURCE OF FUNDS:				
(1) Board of Polygraph Examiners Fund			15,000	
As provided in Section 34-25-5, Code of Alabama 1975.				
Total Board of Polygraph Examiners			15,000	15,000
107. PROSECUTION SERVICES, OFFICE OF:				
(a) Prosecution, Training, Education and Management Program				1,168,862
SOURCE OF FUNDS				
(1) State General Fund		138,789		
(2) Office of Prosecution Services Fund			1,030,073	
Total Office of Prosecution Services		138,789	1,030,073	1,168,862
In addition to the above appropriation, there is also hereby conditionally appropriated the sum of \$50,000 to be made payable to the District Attorney's Office of the 28th Judicial Circuit, to be conditioned upon the availability of funds in the State General Fund and upon approval of the Governor.				

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
108.	PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:			
(a)	Professional and Occupa- tional Licensing and Regulation Program			78,763
	SOURCE OF FUNDS:			
(1)	Board of Examiners in Psychology Fund		78,763	
	As provided in Section 34-26-43, Code of Ala- bama 1975.			
	Total Alabama Board of Examiners in Psychology		78,763	78,763
109.	PUBLIC SAFETY, DEPART- MENT OF:			
(a)	Police Services Program			31,444,636
(b)	Public Safety Support Services Program.			10,199,903
(c)	Administrative Services Program			17,118,023
	SOURCE OF FUNDS:			
(1)	State General Fund	52,054,005		
(2)	Transfer from ABC Profits		2,000,000	
(3)	Transfer from Public Road and Bridge Fund		2,800,000	
(4)	Federal and Local Funds		1,908,557	
	Total Department of Public Safety	52,054,005	6,708,557	58,762,562
	Of the above appropriation to the Department of Public Safety, \$444,599 shall be expended for the Automated Fingerprint Identification Sys- tem (A.F.I.S.). It is the intent of the Legislature that in the event any facilities are constructed by the Depart- ment of Public Safety, such facilities shall be constructed in Mobile and Opelika before any other facilities are constructed.			
110.	PUBLIC SERVICE COMMISSION:			
(a)	Regulatory Services Program			5,267,060

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(b)	Administrative Services			
	Program			3,787,596
	SOURCE OF FUNDS:			
	(1) Public Service Commis-			
	sion Fund.....		8,382,592	
	The above appropriation			
	to the Alabama Public			
	Service Commission shall			
	be payable only from			
	inspection and super-			
	vision fees paid by			
	utilities, radio companies			
	and transportation com-			
	panies and such parts or			
	percentages of fees and			
	taxes paid by motor			
	carrier or motor trans-			
	portation companies as			
	are now or may be set			
	aside by law to be used			
	by the Commission. Any			
	surplus remaining in the			
	Alabama Public Service			
	Commission Fund at the			
	end of the fiscal year in			
	excess of \$600,000 shall			
	be transferred to the			
	State General Fund.			
	(2) Gas Pipeline Safety			
	Fund		500,000	
	(3) Departmental Receipts.....		34,783	
	(4) Federal and Local			
	Funds		137,281	
	Total Public Service			
	Commission.....		9,054,656	9,054,656
	In addition to the above			
	appropriation to the Public			
	Service Commission, there is			
	hereby conditionally appro-			
	priated \$150,000 from the			
	Public Service Commission			
	Fund to be conditioned on the			
	availability of funds, the			
	determination of a demon-			
	strated need, the recom-			
	mendation of the State			
	Finance Director and the			
	approval of the Governor.			

111. RAPID RAIL TRANSIT
COMMISSION, MISSISSIPPI,

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
LOUISIANA, ALABAMA:				
(a)	Special Services Program			347,722
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer	347,722		
	Total Mississippi, Louisi- ana, Alabama Rapid Rail Transit Commission	347,722		347,722
112.	REAL ESTATE COMMIS- SION, ALABAMA:			
(a)	Professional and Occupa- tional Licensing and Regulation Program			1,720,206
	SOURCE OF FUNDS:			
	(1) Alabama Real Estate Commission Fund		1,720,206	
	As provided in Section 34- 27-4, Code of Alabama 1975 and the total expenditures shall in no manner exceed the amounts hereby appropriated. Total Alabama Real Estate Commission		1,720,206	1,720,206
113.	REAL ESTATE APPRAISERS BOARD, ALABAMA:			
(a)	Professional and Occupa- tional Licensing and Regulation Program			375,000
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer	75,000		
	(2) Real Estate Appraisers Board Fund		300,000	
	In accordance with Act 90-639. Total Alabama Real Estate Appraisers Board	75,000	300,000	375,000
114.	REVENUE, DEPARTMENT OF:			
(a)	State Revenue Administra- tion Program			64,168,643
(b)	Capital Outlay Program			331,820
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer	250,000		
	As provided in Section			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
	40-7-70, Code of Alabama 1975, to maintain a program for the equalization of ad valorem tax assessments.			
(2)	State General Fund-Board of Equalization	111,074		
(3)	Transfer from the gross proceeds of Cigarette Tax Collections		1,155,490	
	As provided in Section 40-25-27, Code of Alabama 1975. There is hereby conditionally appropriated to the Department of Revenue \$42,778 from Cigarette Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(4)	Transfer from the gross proceeds of Financial Institution Excise Tax Collections.....		299,464	
	There is hereby conditionally appropriated to the Department of Revenue \$11,087 from Financial Institution Excise Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(5)	Transfer from the proceeds of the Forest Severance Tax Collections.....		110,295	

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Fund Sources Included In Appropriation Total		
General Fund	Earmarked Funds	Appropriation Total
<p>There is hereby conditionally appropriated to the Department of Revenue \$4,083 from Forest Severance Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.</p>		
(6) Transfer from the gross proceeds of Gasoline Tax Collections	5,243,342	
<p>There is hereby conditionally appropriated to the Department of Revenue \$194,117 from Gasoline Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.</p>		
(7) Transfer from the Income Tax Collections.....	17,794,854	
<p>There is hereby conditionally appropriated to the Department of Revenue \$658,795 from Income Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.</p>		
(8) Transfer from the gross		

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Fund Sources Included In Appropriation Total		
General Fund	Earmarked Funds	Appropriation Total
proceeds of Motor Fuel Tax Collections	1,092,797	
There is hereby conditionally appropriated to the Department of Revenue \$40,457 from Motor Fuel Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		
(9) Transfer from the gross proceeds of Motor Vehicle License Collections.....	2,369,473	
There is hereby conditionally appropriated to the Department of Revenue \$87,722 from Motor Vehicle License Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		
(10) Transfer from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax ...	725,040	
There is hereby conditionally appropriated to the Department of Revenue \$26,842 from 1-Mill Ad Valorem Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Gov-		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
	ernor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(11)	Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax		1,786,308	
	There is hereby conditionally appropriated to the Department of Revenue \$66,132 from Public School Fund for cost of collections of the 3-mill Ad Valorem Tax to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(12)	Transfer from the gross proceeds of Sales Tax Collections		15,698,548	
	There is hereby conditionally appropriated to the Department of Revenue \$581,187 from Sales Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(13)	Transfer from the gross proceeds of the Tobacco Tax Collections		47,291	
	There is hereby conditionally appropriated to			

		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
	the Department of Revenue \$1,751 from Tobacco Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(14)	Transfer from the gross proceeds of Use Tax Collections..... There is hereby conditionally appropriated to the Department of Revenue \$63,604 from Use Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		1,718,016	
(15)	Transfer from the gross proceeds of the Utility Tax Collections..... There is hereby conditionally appropriated to the Department of Revenue \$141,212 from Utility Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		3,814,316	
(16)	Local Funds.....		6,900,000	
(17)	Transfer from the gross			

		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
	proceeds of Motor Vehicle License Collec- tions for the purchase only of Motor Vehicle License Tags		2,280,650	
	There is hereby condi- tionally appropriated to the Department of Rev- enue \$84,433 from Motor Vehicle License Tag Col- lections to be conditioned on the recommendation of the State Finance Director and the approv- al of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(18)	Inspection fees for restored vehicles		1,276,601	
	As provided in Section 32-8-87, <u>Code of Ala- bama 1975</u> . There is hereby conditionally ap- propriated to the Depart- ment of Revenue \$47,262 from Inspection fees for Restored Vehicles Col- lections to be conditioned on the recommendation of the State Finance Director and the approv- al of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(19)	Revenue Administration Fund-Transfer from Abandoned Property Trust Fund		99,904	
	As provided in Section 35- 12-39, <u>Code of Alabama 1975</u> . There is hereby con- ditionally appropriated to the Department of Rev-			

Fund Sources Included In Appropriation Total		
General Fund	Earmarked Funds	Appropriation Total
<p>enue \$3,699 from Abandoned Property Trust Fund to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.</p>		
(20) Transfer from the gross proceeds of the Pharmaceutical Services Privilege Tax Collections.....	30,000	
As provided in Act 91-124		
(21) Transfer from the gross proceeds of the Nursing Facility Privilege Tax Collections.....	209,000	
As provided in Act 91-126		
(22) Transfer from the gross proceeds of the Disproportionate Share Hospital Privilege Tax Collections.....	1,488,000	
As provided in Act 91-127		
<p>The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses, and a sum from the collections of privilege taxes levied by Act 91-124, Act 91-126 and Act 91-127, so that the amount appropriated from</p>		

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
those collections, including the amounts in paragraphs (20), (21), and (22) above, shall be 1% of the amounts collected from such taxes.				
Total Department of Revenue.....				
		361,074	64,139,389	64,500,463
115. SECRETARY OF STATE:				
(a) Administrative Support Services Program				2,553,781
SOURCE OF FUNDS:				
(1) State General Fund		923,545		
(2) UCC and Farm Indexing Fund			480,010	
(3) Corporations Fund			1,150,226	
Total Secretary of State		923,545	1,630,236	2,553,781
Any law to the contrary notwithstanding, any of the funds in the trust accounts in the Secretary of State Office can be interchanged between trust accounts for the purpose of computerization and any such preparation, programming, purchasing and operations of such computer.				
116. SECURITIES COMMISSION:				
(a) Regulatory Services Program				1,016,586
SOURCE OF FUNDS:				
(1) State General Fund		700,086		
(2) Sale of Checks License Fund			1,500	
(3) Securities Commission Fund			235,000	
(4) Industrial Revenue Bond Notification Fund			80,000	
Total Securities Commission		700,086	316,500	1,016,586
117. SENIOR CITIZENS HALL OF FAME, ALABAMA:				
(a) Historical Resources Management Program.....				21,871
To be expended in accordance				

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
with Section 41-9-740 et seq., <u>Code of Alabama 1975.</u>				
SOURCE OF FUNDS:				
(1) State General Fund	21,871			
Total Alabama Senior Citizens Hall of Fame	21,871			21,871
<hr/>				
118. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupa- tional Licensing and Regulation Program				91,943
SOURCE OF FUNDS:				
(1) Alabama State Board of Social Work Examiners Fund			91,943	
As provided in Section 34- 30-6, <u>Code of Alabama</u> <u>1975.</u>				
Total Alabama State Board of Social Work Examiners			91,943	91,943
<hr/>				
119. SOIL AND WATER CONSERVA- TION COMMITTEE, STATE:				
(a) Water Resource Development Program				1,287,509
(b) Professional and Occupa- tional Licensing and Regulation Program				5,000
SOURCE OF FUNDS:				
(1) State General Fund	1,247,509			
(2) Soil Classifiers Fund			5,000	
As provided in Section 34-32-19, <u>Code of Ala-</u> <u>bama 1975.</u>				
(3) Transfer from Agricul- tural and Conservation Development Commission.			40,000	
Total State Soil and Water Conservation Committee	1,247,509		45,000	1,292,509
<hr/>				
120. SOUTHERN GROWTH POLICIES BOARD:				
(a) Special Services Program				27,910
SOURCE OF FUNDS:				
(1) State General Fund	27,910			
<hr/>				

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Total Southern Growth Policies Board		27,910		27,910
121.	SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:			
	(a) Tourism and Travel Promo- tion Program			192,860
	SOURCE OF FUNDS:			
	(1) State General Fund	192,860		
	Total Alabama Space Science Exhibit Commission	192,860		192,860
122.	SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:			
	(a) Professional and Occupa- tional Licensing and Regulation Program			55,950
	SOURCE OF FUNDS:			
	(1) Alabama Board of Exam- iners for Speech Pathology and Audiology Fund		55,950	
	As provided in Section 34- 28A-44, Code of Ala- bama 1975.			
	Total Alabama Board of Exam- iners for Speech Pathology and Audiology		55,950	55,950
123.	SPORTS HALL OF FAME, ALABAMA:			
	(a) Historical Resources Management Program			139,824
	(b) Capital Outlay Program			361,612
	SOURCE OF FUNDS:			
	(1) State General Fund	139,824		
	(2) State General Fund - Capital Outlay	361,612		
	Total Alabama Sports Hall of Fame	501,436		501,436
124.	SURFACE MINING COMMIS- SION, ALABAMA:			
	(a) Industrial Safety and Accident Prevention Program			2,895,463
	SOURCE OF FUNDS:			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(1)	State General Fund - Transfer.....	361,613		
(2)	Surface Mining Commis- sion-Fees.....		754,425	
(3)	Federal and Local Funds		1,129,425	
(4)	Bond Forfeiture/Reclam- ation Projects, Estimated.....		650,000	
	As provided in Section 9- 16-103, <u>Code of Alabama</u> <u>1975.</u>			
	Total Alabama Surface Mining Commission	361,613	2,533,850	2,895,463
125.	TANNEHILL FURNACE AND FOUNDRY COMMISSION:			
(a)	Historical Resources Management Program.....			352,348
	SOURCE OF FUNDS:			
(1)	State General Fund	352,348		
	Total Tannehill Furnace and Foundry Commission	352,348		352,348
126.	TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:			
(a)	Water Resource Development Program			97,394
	SOURCE OF FUNDS:			
(1)	State General Fund	97,394		
	Total Tennessee-Tombigbee Waterway Development Authority	97,394		97,394
127.	TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:			
(a)	Promotional Development Program			385,442
	To be expended in accordance with Sections 41-9-780 et seq., <u>Code of Alabama 1975.</u>			
	SOURCE OF FUNDS:			
(1)	State General Fund	68,240		
(2)	Admissions and Concessions		217,202	
(3)	Federal and Local Funds		100,000	

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Total Tennessee Valley Exhibit Commission of Alabama.....		68,240	317,202	385,442
The above appropriation to the Tennessee Valley Exhibit Commission includes \$70,000 for payment of debt service on the Tennessee Valley Exhibit Commission of Alabama Pro- ject Revenue Bonds.				
128.	TOURISM AND TRAVEL, BUREAU OF:			
(a)	Tourism and Travel Promotion Program.....			5,638,824
	Of the above appropriation to the Tourism & Travel & Promotion Program, the sum of \$80,004 shall be made payable in 12 monthly installments of \$6,667 per month to the Tennessee Valley Exhibit Commission to oper- ate a welcome center in the Renaissance Tower and the above appropriation shall include \$50,000 for the Cahaba Trace Commission.			
	SOURCE OF FUNDS:			
	(1) State General Fund	1,294,487		
	(2) Lodgings Tax (\$0.01)		4,344,337	
	Receipts collected under the provisions of Section 40-26-1 et seq., Code of Alabama 1975.			
	Total Bureau of Tourism and Travel.....	1,294,487	4,344,337	5,638,824
129.	TREASURER, STATE:			
(a)	Fiscal Management Program...			3,581,837
	SOURCE OF FUNDS:			
	(1) State General Fund	1,901,341		
	(2) Prepaid Affordable College Tuition Fund		1,680,496	
	Total State Treasurer.....	1,901,341	1,680,496	3,581,837
130.	UNIFORM STATE LAWS, ALABAMA COMMISSION ON:			
(a)	Special Services Program, Estimated			6,268

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:				
(1) State General Fund		6,268		
As provided in Section 41-9-374, Code of Alabama 1975.				
Total Alabama Commission on Uniform State Laws		6,268		6,268
131.	VETERANS' AFFAIRS, DEPARTMENT OF:			
	(a) Administration of Veterans' Affairs Program			4,579,059
	(b) Capital Outlay Program			20,000
SOURCE OF FUNDS:				
(1) State General Fund		3,233,461		
(2) Veterans Home Trust Fund-Transfer			1,365,598	
Total Department of Veterans' Affairs		3,233,461	1,365,598	4,599,059
Of the above appropriation to the Department of Veterans' Affairs, the amount necessary shall be expended to fund a full-time secretarial position in the Limestone County Office of Veterans' Affairs.				
132.	VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:			
	(a) Professional and Occupational Licensing and Regulation Program			145,000
SOURCE OF FUNDS:				
(1) State Board of Veterinary Medical Examiners Fund			145,000	
As provided in Section 34-29-23 and Section 34-29-41, Code of Alabama 1975.				
Total Alabama State Board of Veterinary Medical Examiners			145,000	145,000
133.	VOTER REGISTRATION IDENTIFICATION PROGRAM:			
	(a) Special Services Program			140,086
SOURCE OF FUNDS:				
(1) State General Fund		140,086		

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
	Total Voter Registration Identification Program	140,086		140,086
134.	WOMEN'S COMMISSION, ALABAMA:			
	(a) Employment and Social Opportunities Program			12,054
	SOURCE OF FUNDS:			
	(1) State General Fund	12,054		
	Total Alabama Women's Commission	12,054		12,054
135.	WOMEN'S HALL OF FAME, ALABAMA:			
	(a) Historical Resources Manage- ment Program			5,250
	SOURCE OF FUNDS:			
	(1) State General Fund	5,250		
	Total Alabama Women's Hall of Fame	5,250		5,250
136.	YOUTH SERVICES, DEPART- MENT OF:			
	(a) Youth Services Program			4,341,366
	(b) C.I.T.Y. Program			150,000
	It is the intent of the Leg- islature that the above appro- priation for the C.I.T.Y. Program be in addition to all other financial support received from the Department of Youth Services and that said other financial support for fiscal year 1991-92 be not less than the same pro rata share of the Department's total state funding that was received in fiscal year 1990-91. The above appro- priation shall be expended in accordance with the pro- visions of Sections 44-1-1 through 44-1-56, <u>Code of Alabama 1975.</u>			
	SOURCE OF FUNDS:			
	(1) State General Fund- Community Subsidy	1,367,355		
	(2) State General Fund- C.I.T.Y. Program	150,000		

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(3) State General Fund- Juvenile Probation Officers Subsidy				
		2,974,011		
Total Department of Youth Services.....		4,491,366		4,491,366
2D. OTHER FUNCTIONS OF GOVERN- MENT FUNDED FROM THE STATE GENERAL FUND:				
1. ADVERTISING LANDS FOR TAX SALE:				
(a) State Revenue Administra- tion Program, Estimated.....				115,716
SOURCE OF FUNDS:				
(1) State General Fund		115,716		
As provided in Sec- tion 40-10-22, Code of Alabama 1975.				
Total Advertising Lands for Tax Sale.....		115,716		115,716
2. ARREST OF ABSCONDING FELONS:				
(a) Criminal Investigation Program, Estimated.....				62,680
SOURCE OF FUNDS:				
(1) State General Fund		62,680		
As provided in Section 15-9-1 and 15-9-3, Code of Alabama 1975.				
Total Arrest of Abscond- ing Felons		62,680		62,680
3. ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:				
(a) Special Services Program, Estimated				144,645
SOURCE OF FUNDS:				
(1) State General Fund		144,645		
Total Attorneys' Fees for Reapportionment Cases		144,645		144,645
4. AUTOMATIC APPEAL EXPENSE:				
(a) Legal Advice and Legal Services Program, Estimated.....				96

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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
			Appropriation Total
SOURCE OF FUNDS:			
(1) State General Fund	96		
As provided in Section 12-22-150 and 12-22- 241, Code of Alabama 1975.			
Total Automatic Appeal Expense.....	96		96
5. CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:			
(a) State Revenue Administra- tion Program, Estimated.....			193
SOURCE OF FUNDS:			
(1) State General Fund	193		
As provided in Section 40-7-45, Code of Ala- bama 1975.			
Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals	193		193
6. CONSUMER UTILITY RATE HEARING:			
(a) Executive Direction Program			241,075
SOURCE OF FUNDS:			
(1) State General Fund	241,075		
As provided in Section 37-1-18, Code of Ala- bama 1975.			
Total Consumer Utility Rate Hearing.....	241,075		241,075
7. COURT ASSESSED COSTS NOT PROVIDED FOR:			
(a) Special Services Program, Estimated.....			761,682
As provided in Sections 22- 52-14, 30-4-95, 26-17-17, 22-11A-1 through 22-11A- 37 and 12-21-131, Code of Alabama 1975.			
(b) Legal Advice and Legal Services Program			394,486
It is the intent of the Leg- islature that the appro-			

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Fund Sources Included In Appropriation Total		
General Fund	Earmarked Funds	Appropriation Total
piation in this subsection be expended for Court Costs to include costs of depositions, witness fees and expenses, filing and docket fees, court reporters, court judgments, attorneys fees, out-of-court settle- ments and other expenses ordered by the court or normally identified as costs of court, when any of the above is approved by the Attorney General.		
(c) Automatic Appeal Cases Expense Program		43,832
The above appropriation shall be used to reimburse reasonable expenses in- curred by attorneys rep- resenting defendants under sentence of death in state collateral proceedings, such as those under Rule 32 of the rules of Criminal Procedure. Provided, in no case may any amount be paid unless the court de- termines by written order in advance that the cost is both necessary and rea- sonable; in no single case may the total amount paid for all costs exceed \$5,000; and in no event may any amount be paid out of this appropriation as fees to any attorney for services, or to compensate any attorney for time either as an attorney in the proceeding or as a witness.		
SOURCE OF FUNDS:		
(1) State General Fund, Estimated	761,682	
(2) State General Fund	394,486	
(3) State General Fund - Automatic Appeal Cases	43,832	
Total Court Assessed Costs		
Not Provided For	1,200,000	1,200,000

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
8.	COURT COSTS-ACT NO. 558, 1957:			
(a)	Court Operations Program, Estimated.....			482
	SOURCE OF FUNDS:			
(1)	State General Fund	482		
	Pursuant to Act No. 558, 1957, Page 777.			
	Total Court Costs-Act			
	No. 558, 1957	482		482
9.	DISTRIBUTION OF PUBLIC DOCUMENTS:			
(a)	Administrative Support Services Program, Estimated.....			77,144
	SOURCE OF FUNDS:			
(1)	State General Fund	77,144		
	As provided in Sections 36-14-1, 36-14-11 and 41-21-8, Code of Ala- bama 1975.			
	Total Distribution of Public Documents.....	77,144		77,144
10.	STATE DOCKS TRANSFER			3,500,000
	SOURCE OF FUNDS:			
(1)	State General Fund	3,500,000		
	The above appropriation to the State Docks shall be conditional upon the avail- ability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the State Finance Director and ap- proved by the Governor.			
	Total State Docks Transfer.....	3,500,000		3,500,000
11.	ELECTION EXPENSES:			
(a)	Special Services Program, Estimated.....			1,928,600
(b)	Training of Election Officials, Estimated			77,144
	For payment of ex- penses pursuant to the			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
court order entered by the U.S. District Court, Middle District of Alabama in Civil Action No. 84-T-595- N.				
SOURCE OF FUNDS:				
(1) State General Fund	As provided in Sec- tion 17-4-153, Code of Alabama 1975.	2,005,744		
Total Election Expenses.....		<u>2,005,744</u>		<u>2,005,744</u>
12. EMERGENCY FUND, DEPARTMENTAL:				
(a) Special Services Program				1,446,450
SOURCE OF FUNDS:				
(1) State General Fund	This is the appropriation contemplated in Section 41- 4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office or agency. None of the above appropriation shall be transferred to the Gov- ernor's contingency fund. At least 10 days prior to the release of any of this appropriation to any state department, board, com- mission, bureau, office or agency, the State Finance Director shall notify the Chairman of the Senate Finance and Taxation Com- mittee and the Chairman of the House Committee on Ways and Means of such pending transfer.	1,446,450		
Total Departmental Emergency Fund		<u>1,446,450</u>		<u>1,446,450</u>

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
13.	FAIR TRIAL TAX TRANSFER:			
	(a) Court Operations Program, Estimated			2,314,320
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer	2,314,320		
	Total Fair Trial Tax	2,314,320		2,314,320
14.	FEEDING OF PRISONERS:			
	(a) Institutional Services - Corrections Program, Estimated			3,616,125
	SOURCE OF FUNDS:			
	(1) State General Fund	3,616,125		
	For expenses of feeding prisoners in county jails in accordance with Section 14- 6-42, Code of Alabama 1975.			
	Total Feeding of Prisoners...	3,616,125		3,616,125
15.	FINANCE, DEPARTMENT OF - CAPITOL MOVING:			
	(a) Special Services Program, Estimated			96,430
	SOURCE OF FUNDS:			
	(1) State General Fund	96,430		
	Total Department of Finance - Capitol Moving	96,430		96,430
16.	DEPARTMENT OF FINANCE - EMPLOYEES' SUGGESTION AWARDS PROGRAM:			
	(a) Fiscal Management Program			9,643
	SOURCE OF FUNDS:			
	(1) State General Fund	9,643		
	In accordance with Section 36-1-7, Code of Alabama 1975.			
	Total Department of Finance - Employees' Suggestion Awards Program	9,643		9,643

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
17.	FOREST FIRE FUND, EMERGENCY:			
(a)	Forest Resources Protec- tion and Development Program			180,000
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer.....	180,000		
	The appropriation to the Emergency Forest Fire Fund shall be conditional as provided by Section 9-3- 10.1, <u>Code of Alabama 1975</u> and shall remain in the State General Fund until a demonstrated need is determined and recom- mended by the State Finance Director and ap- proved by the Governor. Total Emergency Forest Fire Fund	180,000		180,000
18.	GOVERNOR'S CONFERENCE, NATIONAL:			
(a)	Executive Direction Program, Estimated			153,420
	SOURCE OF FUNDS:			
	(1) State General Fund	153,420		
	Total National Governor's Conference	153,420		153,420
19.	GOVERNOR'S COUNCILLOR:			
(a)	Executive Direction Program, Estimated			25,072
	SOURCE OF FUNDS:			
	(1) State General Fund	25,072		
	As provided in Sec- tion 36-13-13, <u>Code of Alabama 1975</u> .			
	Total Governor's Councillor	25,072		25,072
20.	GOVERNOR'S PROCLAMATION EXPENSES:			
(a)	Executive Direction Program, Estimated			192,860

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
SOURCE OF FUNDS:				
21.	GOVERNOR'S WIDOWS RETIREMENT:			
	(a) Executive Direction Program, Estimated			27,772
	SOURCE OF FUNDS:			
	(1) State General Fund	192,860		
	As provided in Section 17-14-21, Code of Ala- bama 1975.			
	Total Governor's Procla- mation Expenses	192,860		192,860
22.	LAW ENFORCEMENT FUND:			
	(a) Criminal Investigation Program, Estimated			19,286
	SOURCE OF FUNDS:			
	(1) State General Fund	19,286		
	As provided in Sec- tions 28-4-311 and 28-4-312, Code of Alabama 1975.			
	Total Law Enforcement Fund	19,286		19,286
23.	LAW ENFORCEMENT LEGAL DEFENSE:			
	(a) Legal Advice and Legal Services Program, Estimated			2,893
	SOURCE OF FUNDS:			
	(1) State General Fund	2,893		
	To carry out provisions of Section 36-21-1, Code of Alabama 1975.			
	Total Law Enforcement Legal Defense	2,893		2,893
24.	MAILING TAX NOTICES:			
	(a) State Revenue Administra- tion Program, Estimated			96

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
SOURCE OF FUNDS:				
(1) State General Fund	96			
As provided in Section 40-7-25, Code of Ala- bama 1975.				
Total Mailing Tax Notices...	96			96
25. MILITARY - EMERGENCY ACTIVE DUTY PAY:				
(a) Military Operations Program, Estimated				192,860
SOURCE OF FUNDS:				
(1) State General Fund	192,860			
As provided in Section 31-2-133, Code of Ala- bama 1975.				
Total Military - Emergency Active Duty Pay.....	192,860			192,860
26. PRESIDENTIAL ELECTORAL EXPENSE:				
(a) Special Services Program, Estimated.....				1,929
SOURCE OF FUNDS:				
(1) State General Fund	1,929			
As provided in Section 17-19-8, Code of Ala- bama 1975.				
Total Presidential Electoral Expense	1,929			1,929
27. PRINTING OF CODE SUPPLE- MENTS - LEGISLATIVE REFERENCE SERVICE:				
(a) Legislative Operations and Support Program, Estimated.....				289,290
SOURCE OF FUNDS:				
(1) State General Fund	289,290			
As provided in Section 29-7-6, Code of Ala- bama 1975.				
Total Printing of Code Supplements - Legislative Reference Service	289,290			289,290
28. PRINTING CODES AND SUPPLE- MENTS - SECRETARY OF STATE:				
(a) Administrative Support				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
	Services Program, Estimated.....			159,110
	SOURCE OF FUNDS:			
	(1) State General Fund	159,110		
	As provided in Sections 41-21-1 through 41-21-8 and 41-4-154, <u>Code of Alabama 1975.</u>			
	Total Printing Codes and Supplements - Secretary of State	159,110		159,110
29.	PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
	(a) Administrative Support Services Program, Estimated.....			482,150
	SOURCE OF FUNDS:			
	(1) State General Fund	482,150		
	As provided in Sections 41-4-130 through 41-4- 161, <u>Code of Alabama 1975.</u>			
	Total Printing of Legisla- tive Acts and Journals.....	482,150		482,150
30.	PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:			
	(a) State Revenue Administra- tion Program, Estimated.....			24,108
	SOURCE OF FUNDS:			
	(1) State General Fund	24,108		
	Total Printing of State and County Privilege Licenses....	24,108		24,108
31.	REGISTRATION OF VOTERS:			
	(a) Special Services Program, Estimated.....			1,494,665
	SOURCE OF FUNDS:			
	(1) State General Fund	1,494,665		
	In accordance with Sec- tions 17-4-126 and 17-4- 153, <u>Code of Alabama 1975.</u>			
	Total Registration of Voters	1,494,665		1,494,665
32.	REMOVAL OF PRISONERS:			
	(a) Administrative Services			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
and Logistical Support Program, Estimated				371,256
SOURCE OF FUNDS:				
(1) State General Fund	371,256			
As provided in Sections 15-10-70 through 15-10- 73, 15-9-62, 15-9-65 and 15-9-81, <u>Code of Alabama</u> 1975.				
Total Removal of				
Prisoners	371,256			371,256
33. STATE GENERAL FUND, ESTIMATED BUT NOT LESS THAN				57,000,000
SOURCE OF FUNDS:				
(1) Heritage Trust Income Fund Transfer, Estimated but not less than			57,000,000	
All income other than in- come realized on sale of Trust Fund assets and not otherwise appropriated herein.				
Total State General Fund, Esti- mated by not less than			57,000,000	57,000,000
2E. DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:				
1. General Obligation Capital Improvement Bonds, Series B, Estimated				1,078,250
SOURCE OF FUNDS:				
(1) State General Fund, Estimated	1,078,250			
Total General Obligation Capital Improvement Bonds, Series B, Estimated	1,078,250			1,078,250
2. General Obligation Coosa Waterway Bonds, Series A and B, Estimated				1,013,700
SOURCE OF FUNDS:				
(1) State General Fund, Estimated	1,013,700			
Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated	1,013,700			1,013,700
3. General Obligation Docks Facilities Bonds, Series C,				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
	Estimated.....			1,194,500
	SOURCE OF FUNDS:			
	(1) State General Fund,			
	Estimated.....	1,194,500		
	Total General Obligation Docks Facilities Bonds, Series C,			
	Estimated.....	1,194,500		1,194,500
4.	Music Hall of Fame Bonds,			
	Estimated.....			354,120
	SOURCE OF FUNDS:			
	(1) State General Fund,			
	Estimated	354,120		
	Pursuant to Constitutional Amendment No. 489 as pro- vided in Act 88-549, 1988 Regular Session.			
	Total Music Hall of Fame Bonds,			
	Estimated.....	354,120		354,120
5.	Tennessee-Tombigbee Waterway Bonds, Series C and D,			
	Estimated.....			2,720,585
	SOURCE OF FUNDS:			
	(1) State General Fund,			
	Estimated	2,720,585		
	Pursuant to Constitutional Amendment No. 270 as pro- vided in Act No. 248, 1967 Regular Session.			
	Total Tennessee-Tombigbee Water- way Bonds, Series C and D,			
	Estimated.....	2,720,585		2,720,585
6.	Corrections Institution Bonds,			
	Estimated.....			1,599,500
	SOURCE OF FUNDS:			
	(1) State General Fund,			
	Estimated	1,599,500		
	Pursuant to Constitutional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.			
	Total Corrections Institution Bonds, Estimated	1,599,500		1,599,500
7.	General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated.....			58,152,956
	SOURCE OF FUNDS:			
	(1) State General Fund,			
	Estimated	58,152,956		

		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
		Appropriation Total	
Total General Obligation Capital Bonds, 1982, Series A and B, and General Obliga- tion Refunding Bonds, 1983, Series A and B, Estimated.....		58,152,956	58,152,956
8. General Obligation Capital Bonds, 1990 Series, Estimated			1,931,850
SOURCE OF FUNDS:			
(1) State General Fund, Estimated	1,931,850		
Pursuant to Constitutional Amendment No. 510 as pro- vided for in Act 89-799, 1989 Regular Session.			
Total General Obligation Capital Bonds, 1990 Series, Estimated.....	1,931,850		1,931,850

SECTION 3. It is the intent of the Legislature that the monies appropriated in this Act shall not be expended by any state department, division, board, bureau, commission, agency, institution or office to employ nor contract for the employment of any more persons than the highest number of full-time, part-time or temporary persons employed or contracted with during any point in time in the last two fiscal years. The director, officer or head of each state department, division, board, bureau, commission, agency institution or office shall certify to the State Finance Director and the Legislative Fiscal Officer by October 31, 1991, the highest number of classified, unclassified, exempt and contract employees employed by that agency full-time, part-time or temporarily at any point in time during the year for each of the past two fiscal years. Such agency head shall further certify to the State Finance Director and the Legislative Fiscal Officer within 15 days after the end of each quarter of the fiscal year beginning October 1, 1991, the total number of classified, unclassified, exempt and contract employees paid from any funds appropriated to that department, division, board, bureau, commission, agency, institution or office for each pay period during the previous quarterly period. It is expressly provided that this provision shall include any monies expended by an agency to contract with another state or non-state entity for the provision of services when 50% or more of the cost of such contract involves salaries or associated personnel costs.

SECTION 4. The monies appropriated in this Act shall not be expended for the purchase or lease of automotive vehicles. Provided, however, that the Department of Public

Safety may purchase automotive vehicles to be used for direct law enforcement purposes only and such vehicles shall not be utilized by any department personnel for administrative or support purposes. Said Department of Public Safety may not transfer automotive vehicles from law enforcement personnel nor vehicles designated for law enforcement purposes to other personnel in that Department nor shall vehicles be transferred to be used for any other purpose in that Department nor transferred to any other state agency. A state agency may request to purchase or lease automotive vehicles for emergency purposes. Said request must be made in writing to the State Finance Director, the Chairman of the House Committee on Ways and Means and the Chairman of the Senate Committee of Finance and Taxation and shall explain the nature of the automotive purchase and the emergency need for such vehicle. The request must be approved unanimously by the State Finance Director, the Chairman of the House Committee on Ways and Means and the Chairman of the Senate Committee of Finance and Taxation prior to the purchase or lease of any automotive vehicle.

SECTION 5. In addition to all other appropriations made in this Act, there is hereby appropriated to the following boards, agencies and commissions the following amounts from the State General Fund to be conditioned on the availability of funds as provided herein. The conditional appropriations herein shall be priority conditional appropriations and, except for the conditional appropriation made in subsection 3A-107, no other conditional appropriation shall be released until such are fully funded. In the event the total amount needed to fully fund these conditional appropriations from the State General Fund is not available, then any revenue deposited in the State General Fund in excess of that needed to fund the absolute appropriations from the State General Fund for the fiscal year beginning October 1, 1991 shall be prorated among the listed boards, agencies and commissions.

<u>AGENCY</u>	<u>CONDITIONAL APPROPRIATION</u>
EXAMINERS OF PUBLIC ACCOUNTS	174,395
LAW INSTITUTE, ALABAMA	6,674
LEGISLATIVE FISCAL OFFICE	18,091
LEGISLATIVE REFERENCE SERVICE	23,223
LEGISLATURE	175,983
COURT OF CIVIL APPEALS	23,255
COURT OF CRIMINAL APPEALS	38,298
JUDICIAL INQUIRY COMMISSION	2,083
SUPREME COURT	76,168
SUPREME COURT MARSHAL / LIBRARY	15,798
UNIFIED JUDICIAL SYSTEM	1,215,952

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ACADEMY OF HONOR, ALABAMA	41
ADJUSTMENT, BOARD OF	8,406
AGING, COMMISSION ON	68,388
AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION	34,858
ARICULTURAL & INDUSTRIAL EXHIBIT COMMISSION	810
AGRICULTURE CENTER BOARD	8,469
AGRICULTURE & INDUSTRIES, DEPARTMENT OF	141,338
ALABAMA TRUST FUND BOARD	581
ARCHIVES & HISTORY, DEPARTMENT OF	42,811
ATTORNEY GENERAL, OFFICE OF	116,082
AUDITOR, STATE	14,589
BEAR CREEK DEVELOPMENT AUTHORITY	883
BUILDING COMMISSION	14,519
CAHAWBA ADVISORY COMMITTEE	155
CHILD ABUSE & NEGLECT PREVENTION BOARD	6,547
CHOCOLOCOCO CREEK WATERSHED	162
CORRECTIONS, DEPARTMENT OF	2,261,497
CRIMINAL JUSTICE INFORMATION SYSTEM, ALABAMA	48,990
DEVELOPMENT OFFICE, ALABAMA	78,974
DISTRICT ATTORNEYS	254,304
ECONOMIC & COMMUNITY AFFAIRS, DEPARTMENT OF	119,882
EDUCATION, DEPARTMENT OF	33,210
ELK RIVER DEVELOPMENT AGENCY	69
EMERGENCY MANAGEMENT AGENCY	20,810
ENERGY BOARD, SOUTHERN STATES	440
ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF	111,378
ETHICS COMMISSION	6,885
FARMER'S MARKET AUTHORITY	6,926
FINANCE, DEPARTMENT OF	153,302
FINANCE-AIR TRANSPORTATION & SERVICES	20,280
FINANCE-TELEPHONE REVOLVING FUND	29,355
FOREIGN TRADE RELATIONS COMMISSION	1,689
FORENSIC SCIENCES	109,971
FORESTRY COMMISSION	224,485
GEOLOGICAL SURVEY	40,879
GORGAS MEMORIAL BOARD	81
GOVERNOR'S CONTINGENCY FUND	10,841

GOVERNOR'S MANSION ADVISORY BOARD	147
GOVERNOR'S MANSION	3,262
GOVERNOR'S OFFICE	28,328
GOVERNOR'S OFFICE ON VOLUNTEERISM	1,424
HEALTH, DEPARTMENT OF PUBLIC	486,154
HEALTH PLANNING AGENCY	5,423
HIGHWAY DEPARTMENT	1,622
HISTORIC BLAKELEY AUTHORITY	5,106
HISTORIC CHATTAHOOCHEE COMMISSION	2,300
HISTORICAL COMMISSION, ALABAMA	22,160
HUMAN RESOURCES, DEPARTMENT OF	548,343
INDIAN AFFAIRS	3,315
INDUSTRIAL RELATIONS, DEPARTMENT OF	23,065
INSURANCE, DEPARTMENT OF	38,634
LABOR, DEPARTMENT OF	5,514
LIEUTENANT GOVERNOR, OFFICE OF	10,331
LOUISIANA, MISSISSIPPI, ALABAMA	
RAPID RAIL TRANSIT COMMISSION	9,202
MEDICAID AGENCY, ALABAMA	2,335,200
MEN'S HALL OF FAME	81
MENTAL HEALTH, DEPARTMENT OF	977,906
MILITARY DEPARTMENT	105,754
MOTOR SPORTS HALL OF FAME	2,155
MUSIC HALL OF FAME BOARD	1,950
OIL & GAS BOARD	41,375
PARDONS & PAROLES, BOARD OF	226,382
PERSONNEL DEPARTMENT, STATE	336,276
PROSECUTION SERVICES, OFFICE OF	2,332
PUBLIC SAFETY, DEPARTMENT OF	874,507
REVENUE DEPARTMENT	6,066
SECRETARY OF STATE	15,516
SECURITIES COMMISSION	11,761
SENIOR CITIZENS HALL OF FAME,	
ALABAMA	367
SOIL & WATER CONSERVATION	
COMMISSION, STATE	20,958
SOUTHERN GROWTH POLICIES BOARD	469
SPACE SCIENCE EXHIBIT COMMISSION,	
ALABAMA	3,240
SPORTS HALL OF FAME	8,424
SURFACE MINING COMMISSION	6,075
TANNEHILL FURNACE AND FOUNDRY	
COMMISSION	5,919
TENN-TOM WATERWAY DEVELOPMENT	
AUTHORITY	1,636

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TVA EXHIBIT COMMISSION	1,146
TOURISM AND TRAVEL, BUREAU OF	21,747
TREASURER, STATE	31,943
UNIFORM STATE LAWS, COMMISSION ON	105
VETERANS' AFFAIRS, DEPARTMENT OF	54,322
VOTER REGISTRATION PROGRAM	1,093
WOMEN'S COMMISSION, ALABAMA	203
WOMEN'S HALL OF FAME	88
YOUTH SERVICES, DEPARTMENT OF	75,455
ADVERTISING LANDS FOR TAX	1,944
ARREST OF ABSCONDING FELONS	1,053
ATTORNEYS' FEES/COSTS FOR REAPPORTIONMENT	2,430
AUTOMATIC APPEAL EXPENSE	2
CIVIL COURT COSTS - AD VALOREM TAX APPEAL	3
CONSUMER UTILITY RATE HEARING	4,050
COURT COSTS NOT OTHERWISE PROVIDED FOR	24,300
COURT COSTS - ACT 558, 1957	8
DISTRIBUTION OF PUBLIC DOCUMENT	1,296
ELECTION EXPENSES	32,400
ELECTION, TRAINING OFFICIALS	1,296
EMERGENCY FUND, DEPARTMENTAL	24,300
FAIR TRIAL TAX TRANSFER	38,881
FEEDING OF PRISONERS	60,751
DEPARTMENT OF FINANCE - CAPITOL MOVING	1,620
EMPLOYEES' SUGGESTION AWARD PROGRAM	162
GOVERNOR'S CONFERENCE, NATIONAL	2,577
GOVERNOR'S COUNCILLOR	421
GOVERNOR'S PROCLAMATION EXPENSES	3,240
GOVERNOR'S WIDOW RETIREMENT	467
LAW ENFORCEMENT FUND	324
LAW ENFORCEMENT LEGAL DEFENSE	49
MAILING TAX NOTICES	2
MILITARY- EMERGENCY ACTIVE DUTY	3,240
PRESIDENTIAL ELECTORAL EXPENSE	32
PRINTING OF CODE SUPPLEMENTS-	
LEGISLATIVE REFERENCE SERVICE	4,860
PRINTING CODE & SUPPLEMENTS-	
SECRETARY OF STATE	2,673
PRINTING LEGISLATIVE ACTS & JOURNALS	8,100
PRINTING STATE & COUNTY PRIVILEGE LICENSES	405
REGISTRATION OF VOTERS	25,110
REMOVAL OF PRISONERS	6,237

SECTION 6. In addition to all other appropriations from the State General Fund, there is hereby conditionally appropriated the

following amounts to the following agencies for the fiscal year beginning October 1, 1991 to be conditioned on the prior funding of the priority conditional appropriations provided for in Section 5 of this Act, the availability of funds in the State general fund, the recommendation of the State Finance Director and the approval of the Governor.

<u>AGENCY</u>	<u>CONDITIONAL APPROPRIATION</u>
A) COMMISSION ON AGING - FOR MEDICAID WAIVER SERVICES	\$ 300,000
B) DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES - FOR CAPITAL IMPROVEMENTS TO STATE PARKS	\$ 750,000
C) DEPARTMENT OF CORRECTIONS	\$3,400,000
D) DEPARTMENT OF ENVIRONMENTAL MANAGEMENT - FOR WATER POLLUTION CONTROL AUTHORITY	\$4,900,000
E) GEOLOGICAL SURVEY	\$ 125,000
F) DEPARTMENT OF HUMAN RESOURCES	\$2,000,000
G) DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION	\$7,000,000
H) STATE PERSONNEL DEPARTMENT	\$ 150,000
I) DEPARTMENT OF PUBLIC SAFETY	\$3,500,000

SECTION 7. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 9 and 10 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 8. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 9. In addition to appropriations herein made, all gifts, grants, contributions or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 10. All interest earned from funds paid into Account No. 396 (formerly Account No. 305735) and any other interest earned by the state from Revenue Sharing Investments under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, together with any accruals or reversions thereon are hereby appropriated to the State General Fund.

SECTION 11. All encumbered balances of a previous fiscal year appropriation, other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or earmarked fund from which the appropriation or appropriations were made.

SECTION 12. The appropriations made herein to the departments, boards, offices, commissions and agencies include the amounts necessary and said departments, boards, offices, commissions and agencies are hereby directed to make the transfer of funds to the State Personnel Department in said amounts enumerated in Section 2C, subsection 102.

SECTION 13. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or

portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid. Except all provisions of Title 29, Code of Alabama 1975, in conflict with this Act shall remain in full force and effect and all resolutions relating to the purposes of Title 29 adopted subsequent thereto shall remain in full force and effect.

SECTION 14. That all laws and parts of laws, general, special, private or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 15. That each agency of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 16. That this Act shall become effective October 1, 1991.

The Standing Committee on Finance and Taxation then reported the following amendment No. 1 to the substitute for the Bill, HB 204, to-wit:

AMENDMENT NO. 1 TO SUBSTITUTE FOR HB 204

Amend the Committee Substitute for House Bill 204, on Page 57, Lines 19 and 20, as follows:

By striking Lines 19 and 20 in their entirety and inserting in lieu thereof the following: "designing, engineering and construction of armories in Brewton in Escambia County and in Selma in Dallas County.

Further amend the Committee Substitute on Page 57, Lines 7 and 16, by striking the figure "464,350" and inserting in lieu thereof the figure "766,350".

Further amend the Committee Substitute on Page 57, Line 29 by striking the figure "6,294,862" and inserting in lieu thereof the figure "6,596,862".

Further amend the Committee Substitute on Page 68, Lines 19, 21 and 24, by striking the figure "347,722" and inserting in lieu thereof the figure "45,722".

The Standing Committee on Finance and Taxation then reported the following amendment No. 2 to the substitute for the Bill, HB 204, to-wit:

AMENDMENT NO. 2 TO SUBSTITUTE FOR HB 204

Amend the Committee Substitute for House Bill 204, on Page 53, Lines 9, 11 and 13, as follows:

By deleting the figure "646,945" and inserting in lieu thereof the figure "614,945".

The Standing Committee on Finance and Taxation then reported the following amendment No. 3 to the substitute for the Bill, HB 204, to-wit:

AMENDMENT NO. 3 TO SUBSTITUTE FOR HB 204

Amend the Committee Substitute for House Bill 204, on Page 11, Line 29, as follows:

By striking the figure "1,876,753" and inserting in lieu thereof the figure "1,901,753".

Further amend the Committee Substitute on Page 11, Line 31 and on Page 12, Line 22, by striking the figure "8,412,986" and inserting in lieu thereof the figure "8,437,986".

Further amend the Committee Substitute on Page 12, Line 22, by striking the figure "18,806,236" and inserting in lieu thereof the figure "18,831,236".

The Standing Committee on Finance and Taxation then reported the following amendment No. 4 to the substitute for the Bill, HB 204, to-wit:

AMENDMENT NO. 4 TO SUBSTITUTE FOR HB 204

Amend the Committee Substitute for House Bill 204, on Page 91, after Line 26, as follows:

By adding the following language: "In addition to the above appropriation, there is hereby appropriated \$850,000 to the Secretary of State for the Training of Election Officials to be conditioned on the availability of funds in the State General Fund, the demonstration of a

need, the recommendation of the State Finance Director and the approval of the Governor."

The Standing Committee on Finance and Taxation then reported the following amendment No. 5 to the substitute for the Bill, HB 204, to-wit:

AMENDMENT NO. 5 TO SUBSTITUTE FOR HB 204

Amend the Committee Substitute for House Bill 204, on Page 53, by striking lines 22 to 29 in their entirety and inserting in lieu thereof the following:

"Regulatory Services Program		821,525
SOURCE OF FUNDS:		
(1) Alabama Manufactured Housing		
Commission Fund.....	781,525	
As provided in Section 24-6-4,		
<u>Code of Alabama, 1975</u>		
(2) Transfer from Mobile Home		
Title Fee Receipts Levied in		
Section 3-8-6, <u>Code of Alabama,</u>		
<u>1975</u>	40,00	
Total Alabama Manufactured Housing		
Commission.....	821,525	821,525"

The Standing Committee on Finance and Taxation then reported the following amendment No. 6 to the substitute for the Bill, HB 204, to-wit:

AMENDMENT NO. 6 FOR SUBSTITUTE FOR HB 204

Amend the Committee Substitute on page 37, lines 23 and 26 by striking the figure "1,747,312" and inserting in lieu thereof the figure "1,624,858".

Further amend the Committee Substitute on page 37, lines 21 and 26 by striking the figure "12,362,184" and inserting in lieu thereof the figure "12,239,730".

Further amend the Committee Substitute on page 53, line 32 and on page 54 line 26, by striking the figure "1,578,578,219" and inserting in lieu thereof the figure "1,576,578,219".

Further amend the Committee Substitute on page 54, lines 9 and 26 by striking the figure "137,544,802" and inserting in lieu thereof the figure "135,544,802".

Further amend the Committee Substitute on page 91, lines 28 and 30 and on page 92 line 31 by striking the figure "1,446,450" and inserting in lieu thereof the figure "446,450".

Further amend the Committee Substitute on page 106, line 27 by striking the figure "24,300" and inserting in lieu thereof the figure "1,024,300".

Further amend the Committee Substitute on page 105, line 17 by striking the figure "2,335,200" and inserting in lieu thereof the figure "4,335,200".

Further amend the Committee Substitute on page 104, line 24 by striking the figure "29,355" and inserting in lieu thereof the figure "151,809".

Further amend the Committee Substitute on page 103, by striking lines 20 through 25 in their entirety.

Further amend the Committee Substitute on page 5, line 20, by striking Section 2B in its entirety and inserting in lieu thereof the following:

***2B. JUDICIAL**

1. COURT OF CIVIL APPEALS:

(a) Court Operations Program		1,435,459
SOURCE OF FUNDS:		
(1) State General Fund	1,372,022	
(2) State General Fund - Act 90-111, Judicial Compensation Report	63,437	
Total Court of Civil Appeals	1,435,459	1,435,459

**2. COURT OF CRIMINAL
APPEALS:**

(a) Court Operations Program		2,364,069
SOURCE OF FUNDS:		
(1) State General Fund	2,258,341	
(2) State General Fund - Act 90-111, Judicial Compensation Report	105,728	
Total Court of Criminal Appeals	2,364,069	2,364,069

**3. JUDICIAL INQUIRY
COMMISSION:**

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(a) Administrative Services			
Program.....			128,605
SOURCE OF FUNDS:			
(1) State General Fund.....	128,605		
Total Judicial Inquiry			
Commission	128,605		128,605
4. JUDICIAL RETIREMENT FUND:			
(a) Retirement Systems			
Program.....			1,380,000
SOURCE OF FUNDS:			
(1) State General Fund.....	1,380,000		
Total Judicial Retirement			
Fund.....	1,380,000		1,380,000
5. SUPREME COURT:			
(a) Court Operations Program....			4,801,642
SOURCE OF FUNDS:			
(1) State General Fund.....	4,611,332		
(2) State General Fund -			
Act 90-111, Judicial			
Compensation Report	190,310		
Total Supreme Court.....	4,801,642		4,801,642
6. SUPREME COURT MARSHAL/ LIBRARY:			
(a) Court Operations - Library			
Service Program			1,014,665
SOURCE OF FUNDS:			
(1) State General Fund.....	975,165		
(2) Departmental			
Receipts		39,500	
Total Supreme Court			
Marshal/Library	975,165	39,500	1,014,665
7. UNIFIED JUDICIAL SYSTEM:			
(Administrative Office of			
Courts)			
(a) Court Operations Program			69,479,632
(b) Administrative Services			
Program.....			4,003,782
(c) Mandatory Drug Treatment			
Program.....			600,008
(d) DUI Referral Program			74,223
(e) Fringe Benefit Program,			
Estimated			380,000
(f) Court Equipment and Court			
Security Program.....			1,120,000
SOURCE OF FUNDS:			
(1) State General Fund.....	71,191,359		
(2) State General Fund - Act			
90-111, Judicial Compen-			
sation Report.....	3,237,517		

(3) State General Fund - Act 90-474	228,761		
(4) State General Fund-Social Security-County Judicial, Estimated	380,000		
(5) State General Fund Transfer-Juvenile Justice Coordinating Council, in accordance with Act 90-764	20,000		
(6) Federal and Local Funds		600,008	
Total Unified Judicial System	75,057,637	600,008	75,657,645*

On motion of Senator Horn, said substitute and amendments were laid on the table.

Senator Horn then offered the following substitute for the Bill, HB 204, to-wit:

SUBSTITUTE FOR HB 204

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The monies in Section 2 are appropriated from the named funds for the 1991-92 fiscal year to the state agencies indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the total for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agencies concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

(e) "Federal and Local Funds" shall mean all gifts, grants, contributions, or entitlements, including grants by the Congress of the United States, municipalities or counties.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial agencies of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1992, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Fund Sources Included
In Appropriation Total

General Fund	Earmarked Funds	Appropriation Total
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2A. LEGISLATIVE:

1. EXAMINERS OF PUBLIC
ACCOUNTS, DEPARTMENT OF:

(a) Legislative Support-Audit Services Program		10,880,642
SOURCE OF FUNDS:		
(1) State General Fund	10,380,642	
(2) Federal Funds	500,000	

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Earmarked Funds	
Total Department of Exam- iners of Public Accounts.....	10,380,642	500,000	10,880,642
2. LAW INSTITUTE, ALABAMA:			
(a) Support Of Other Educational Activities Program.....			397,252
SOURCE OF FUNDS:			
(1) State General Fund.....	397,252		
Total Alabama Law Institute	397,252		397,252
3. LEGISLATIVE COUNCIL:			
(a) Legislative Operations and Support Program.....			242,000
SOURCE OF FUNDS:			
(1) State General Fund.....	242,000		
Pursuant to Section 29- 6-1 et seq., Code of Alabama 1975.			
Total Legislative Council.....	242,000		242,000
4. LEGISLATIVE FISCAL OFFICE:			
(a) Legislative Operations and Support Program (to include program review)			1,076,824
SOURCE OF FUNDS:			
(1) State General Fund.....	1,076,824		
Total Legislative Fiscal Office	1,076,824		1,076,824
5. LEGISLATIVE REFERENCE SERVICE:			
(a) Legislative Operations and Support Program			1,382,299
SOURCE OF FUNDS:			
(1) State General Fund.....	1,382,299		
Total Legislative Reference Service	1,382,299		1,382,299
6. LEGISLATURE:			
(a) Legislative Operations and Support Program			10,475,191
It is the intent of the Legislature that (1) at least			

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Fund Sources Included
In Appropriation Total

<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
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\$30,000 shall be allocated for the Senate Finance and Taxation Committee, \$30,000 shall be allocated for the Office of the Senate Pro Tempore, and \$30,000 shall be allocated for the Senate Rules Committee, (2) at least \$90,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the office of the Speaker of the House, (3) \$7,000 shall be allocated to the permanent municipal government committee as required by Act 90-478, and (4) at least \$350,000 shall be allocated for a permanent legislative committee on reapportionment as required by Act 90-388. The appropriation to the Legislature shall be expended under the provisions set forth in Section 29-1-22, Code of Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund	10,475,191	
Total Legislature	10,475,191	10,475,191

7. LEGISLATURES, NATIONAL
CONFERENCE OF STATE:

(a) Legislative Operations and Support Program.....	85,775
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SOURCE OF FUNDS:

(1) State General Fund	85,775	
Total National Conference of State Legislatures.....	85,775	85,775

2B. JUDICIAL:

1. COURT OF CIVIL APPEALS:

(a) Court Operations Program....	1,435,459
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SOURCE OF FUNDS:

(1) State General Fund	1,372,022	
(2) State General Fund - Act 90-111, Judicial Compensation Report	63,437	

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	<u>Fund Sources Included In Appropriation Total</u>	
	<u>General Fund</u>	<u>Earmarked Funds</u>
		<u>Appropriation Total</u>
Total Court of Civil Appeals	<u>1,435,459</u>	<u>1,435,459</u>
2. COURT OF CRIMINAL APPEALS:		
(a) Court Operations Program		2,364,069
SOURCE OF FUNDS:		
(1) State General Fund	2,258,341	
(2) State General Fund - Act 90-111, Judicial Compensation Report	<u>105,728</u>	
Total Court of Criminal Appeals	<u>2,364,069</u>	<u>2,364,069</u>
3. JUDICIAL INQUIRY COMMISSION:		
(a) Administrative Services Program		128,605
SOURCE OF FUNDS:		
(1) State General Fund	<u>128,605</u>	
Total Judicial Inquiry Commission	<u>128,605</u>	<u>128,605</u>
4. JUDICIAL RETIREMENT FUND:		
(a) Retirement Systems Program		1,380,000
SOURCE OF FUNDS:		
(1) State General Fund	<u>1,380,000</u>	
Total Judicial Retirement Fund	<u>1,380,000</u>	<u>1,380,000</u>
5. SUPREME COURT:		
(a) Court Operations Program		4,801,642
SOURCE OF FUNDS:		
(1) State General Fund	4,611,332	
(2) State General Fund - Act 90-111, Judicial Compensation Report	<u>190,310</u>	
Total Supreme Court	<u>4,801,642</u>	<u>4,801,642</u>
6. SUPREME COURT MARSHAL/ LIBRARY:		
(a) Court Operations - Library Service Program		1,014,665
SOURCE OF FUNDS:		
(1) State General Fund	975,165	
(2) Departmental Receipts		<u>39,500</u>

	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
Total Supreme Court Marshal/Library	975,165	39,500	1,014,665
7. UNIFIED JUDICIAL SYSTEM: (Administrative Office of Courts)			
(a) Court Operations Program			68,306,417
(b) Administrative Services Program.....			4,003,782
(c) Mandatory Drug Treatment Program.....			600,008
(d) DUI Referral Program.....			74,223
(e) Fringe Benefit Program, Estimated			380,000
(f) Court Equipment and Court Security Program			1,120,000
SOURCE OF FUNDS:			
(1) State General Fund	70,018,144		
(2) State General Fund - Act 90-111, Judicial Compensation Report	3,237,517		
(3) State General Fund - Act 90-474	228,761		
(4) State General Fund- Social Security-County Judicial, Estimated	380,000		
(5) State General Fund Transfer-Juvenile Justice Coordinating Council, in accordance with Act 90-764	20,000		
(6) Federal and Local Funds.....		600,008	
Total Unified Judicial System.....	73,884,422	600,008	74,484,430

2C. EXECUTIVE

1. ACADEMY OF HONOR, ALABAMA:

(a) Historical Resources Manage ment Program.....		2,444
SOURCE OF FUNDS:		
(1) State General Fund	2,444	
As provided in Section 41- 11-6, Code of Alabama 1975, and an additional amount.		
Total Alabama Academy of Honor	2,444	2,444

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
2. ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:				
(a)	Professional and Occupa- tional Licensing and Regulation Program.....			493,470
SOURCE OF FUNDS:				
(1)	Alabama State Board of Public Accountancy Fund		493,470	
	As provided in Section 34-1-22, <u>Code of Ala- bama 1975</u> . In addition to the amounts appro- priated hereinabove to the State Board of Public Accountancy, there is hereby appro- priated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by request of applicant.			
	Total Alabama State Board of Public Accountancy		493,470	493,470
3. ADJUSTMENT, BOARD OF:				
(a)	Special Services Program			500,375
SOURCE OF FUNDS:				
(1)	State General Fund	11,572		
	For the State General Fund Contribution to the total expenditure of \$750,000 pursuant to Section 41-9-73, <u>Code of Alabama 1975</u> .			
(2)	State General Fund, Estimated	482,149		
	For expenditures as provided in Section 31- 3-2 and Section 36-30- 2, <u>Code of Alabama 1975</u> .			
(3)	State General Fund - Administrative Costs	6,654		
	Total Board of Adjustment....	500,375		500,375
4. AERONAUTICS, DEPARTMENT OF:				

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
(a)	Airport Development and Aeronautical Support Program.....			958,711
	SOURCE OF FUNDS:			
(1)	State General Fund.....	50,000		
(2)	Airport Development Fund-Aviation Fuel Tax.....		889,631	
	As provided by Section 4-2-42, Code of Alabama 1975.			
(3)	Airport Development Fund-Federal Funds.....		19,080	
	Total Department of Aeronautics	50,000	908,711	958,711
5. AGING, COMMISSION ON:				
(a)	Planning and Advocacy for the Elderly Program			16,526,841
(b)	Economic Assistance Program.....			12,053,405
	SOURCE OF FUNDS:			
(1)	State General Fund.....	1,528,669		
(2)	State General Fund-Medicaid Waiver	2,872,760		
(3)	Federal and Local Funds.....		24,178,817	
	Total Commission on Aging.....	4,401,429	24,178,817	28,580,246
	The Commission on Aging shall contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Community-Based Waiver for the Elderly and Disabled". The Commission on Aging shall not withdraw Area Agency on Aging designations or alter the funding relationships with existing Area Agencies on Aging and Regional Planning Development Commissions or Councils of Local Governments without the approval			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
of the Board of Directors of the Alabama Commission on Aging and complying with all federal and state statutory and regulatory requirements.				
6. AGRICULTURAL AND CON- SERVATION DEVELOPMENT COMMISSION:				
(a) Water Resource Development Program.....				2,249,884
SOURCE OF FUNDS:				
(1) State General Fund- Transfer	2,074,844			
(2) Interest Income.....			175,000	
As provided in Section 9- 8A-4.1, <u>Code of Alabama</u> 1975.				
Total Agricultural and Con- servation Development Commission	2,074,884	175,000		2,249,884
7. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:				
(a) Agricultural Development Services Program.....				48,215
SOURCE OF FUNDS:				
(1) State General Fund	48,215			
Total Alabama Agricultural and Industrial Exhibit Commission	48,215			48,215
8. AGRICULTURAL CENTER BOARD:				
(a) Agricultural Development Services Program.....				849,109
SOURCE OF FUNDS:				
(1) State General Fund	163,308			
For expense and award- ing of prizes for fairs as provided in Section 2-7- 21, <u>Code of Alabama</u> 1975 and other live- stock shows and ex- positions and other activities.				
(2) State General Fund- Operations	131,518			

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Earmarked Funds	
(3) State General Fund- Livestock Coliseum	209,283		
(4) Livestock Coliseum Fund		345,000	
Total Agricultural Center Board.....	504,109	345,000	849,109

9. AGRICULTURE AND INDUSTRIES,
DEPARTMENT OF:

(a) Administrative Services Program.....		1,901,444
(b) Agricultural Inspection Services Program.....		10,681,062
Of the above appropriation \$50,000 shall be transferred to the Alabama Aquaculture Center in Gadsden, Ala- bama.		
(c) Laboratory Analysis and Disease Control Program.....		4,346,977
(d) Agricultural Development Services Program.....		1,931,753

SOURCE OF FUNDS:

(1) State General Fund	8,467,986	
(2) Federal and Local Funds		2,352,256
(3) Shipping Point Inspec- tion Fund		3,754,000
Pursuant to Sections 2- 9-20 et seq., Code of Alabama 1975, All fees and charges collected by the Commissioner of Agriculture and Indus- tries and deposited into said fund, and such appropriation to the Department of Agricul- ture and Industries shall include all fees and charges collected and deposited therein for Shipping Point In- spection grading and classification services for agricultural products including services fur- nished for weighing and issuing weight certi- ficates to be used for the sale of agricultural com- modities.		

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(4) Agricultural Fund.....			4,286,994	
Total Department of Agri- culture and Industries.....		8,467,986	10,393,250	18,861,236
<hr/>				
10. ALABAMA TRUST FUND BOARD:				
(a) Administrative Program.....				34,605
SOURCE OF FUNDS:				
(1) State General Fund.....		34,605		
Total Alabama Trust Fund Board.....		34,605		34,605
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11. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:				
(a) Product Management Program.....				27,535,558
(b) Enforcement Program.....				8,055,663
The level and type of services to be provided by the Alcoholic Beverage Control Board for the En- forcement Program in fiscal year 1991-92 shall not be reduced below the level of services provided in this program in fiscal year 1990- 91.				
(c) Administrative Services Program.....				2,769,544
The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the Department of Mental Health of \$1,000,000, a transfer to the Department of Public Safety of \$2,000,000, and a trans- fer to the State General Fund of \$596,000. The above transfers shall be made from the operating funds of the Alcoholic Beverage Control Board and shall not affect any distribution of revenue generated from the sale of alcoholic beverages.				
SOURCE OF FUNDS:				
(1) ABC Board Fund.....			38,360,765	
In addition to the above				

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Fund Sources Included In Appropriation Total		
<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
<p>appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the</p>		

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event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

Total Alabama Alcoholic Beverage Control Board
In addition to the above appropriation to the Alabama Alcoholic Beverage Control Board, there is hereby appropriated \$1,420,180 from the ABC Board Fund to be conditioned on the availability of funds in the ABC Board Fund, the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the first and second priority conditionals appropriated in this Act.

Fund Sources Included
In Appropriation Total

<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
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	38,360,765	38,360,765
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12. ARCHITECTS, BOARD FOR
REGISTRATION OF:

- (a) Professional and Occupational Licensing and Regulation Program.....

282,500

SOURCE OF FUNDS:

- (1) Fund of the Board for Registration of Architects
As provided in Section 34-2-41, Code of Alabama 1975.

282,500

Total Board for Registration of Architects

	282,500	282,500
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13. ARCHIVES AND HISTORY,
DEPARTMENT OF:

- (a) Historical Resources Management Program.....

3,086,068

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:				
(1) State General Fund	2,958,252			
(2) Federal and Local Funds			127,816	
Total Department of Archives and History	<u>2,958,252</u>	<u>2,958,252</u>	<u>127,816</u>	<u>3,086,068</u>
14. ATTORNEY GENERAL, OFFICE OF THE:				
(a) Legal Advice and Legal Services Program				8,326,002
(b) Fair Marketing Practices Program				728,013
SOURCE OF FUNDS:				
(1) State General Fund	6,192,986			
(2) State General Fund - Drug Program	120,537			
(3) State General Fund - Consumer Protection	596,105			
(4) Federal and Local Funds			1,144,387	
(5) Special Federal Litiga- tion Fund			1,000,000	
Total Office of the Attorney General	<u>6,909,628</u>	<u>6,909,628</u>	<u>2,144,387</u>	<u>9,054,015</u>
15. AUCTIONEERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupa- tional Licensing and Regulation Program				80,884
SOURCE OF FUNDS:				
(1) State Board of Auc- tioneers Fund			80,884	
Total Alabama State Board of Auctioneers			<u>80,884</u>	<u>80,884</u>
16. AUDITOR, STATE:				
(a) Fiscal Management Program				868,418
SOURCE OF FUNDS:				
(1) State General Fund	868,418			
Total State Auditor	<u>868,418</u>	<u>868,418</u>		<u>868,418</u>
17. BANKING DEPARTMENT, STATE:				
(a) Charter, License and Regulate Financial Insti-				

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		<u>Fund Sources Included In Appropriation Total</u>	
		<u>General Fund</u>	<u>Earmarked Funds</u>
			<u>Appropriation Total</u>
tutions Program.....			3,663,000
SOURCE OF FUNDS:			
(1) Banking Assessment			
Fees.....		3,220,000	
As provided in Section			
5-2A-20, <u>Code of Ala-</u>			
<u>bama 1975.</u>			
(2) Loan Examination			
Fund.....		443,000	
As provided in Section			
5-2A-24, Section 5-16-			
38.1, and Section 5-18-			
5, <u>Code of Alabama</u>			
<u>1975.</u>			
Total State Banking			
Department.....		3,663,000	3,663,000
<hr/>			
18. BAR ASSOCIATION, ALA-			
BAMA STATE:			
(a) Professional and Occupational			
Licensing and Regulation			
Program.....			1,795,069
SOURCE OF FUNDS:			
(1) State Bar Association			
Fund.....		1,256,549	
As provided in Section			
34-3-4 and Section 34-			
3-44, <u>Code of Alabama</u>			
<u>1975.</u>			
(2) Federal and Local			
Funds.....		538,520	
As provided in Sections			
34-3-44, 34-3-17 and			
34-3-18, <u>Code of Ala-</u>			
<u>bama 1975.</u>			
Total Alabama State Bar			
Association		1,795,069	1,795,069
<hr/>			
19. BEAR CREEK DEVELOPMENT			
AUTHORITY:			
(a) Water Resource Development			
Program.....			52,588
SOURCE OF FUNDS:			
(1) State General Fund.....	52,588		
Total Bear Creek Development			
Authority.....	52,588		52,588
<hr/>			
20. BUILDING COMMISSION,			
STATE:			
(a) Special Services Program			1,631,259

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:				
(1) State General Fund	864,238			
(2) Federal and Local Funds			767,021	
Total State Building Commission	864,238	767,021		1,631,259
21. BUILDING RENOVATION FINANCE AUTHORITY, ALABAMA:				
(a) Administrative Support Services Program				5,278,127
(b) Capital Outlay Program				900,000
SOURCE OF FUNDS:				
(1) Departmental Receipts, Estimated			6,178,127	
Total Alabama Building Renovation Finance Authority		6,178,127		6,178,127
22. CAHAWBA ADVISORY COMMITTEE:				
(a) Historical Resources Manage- ment Program				9,209
SOURCE OF FUNDS:				
(1) State General Fund	9,209			
Total Cahawba Advisory Committee	9,209			9,209
23. CHILD ABUSE AND NEGLECT PREVENTION BOARD:				
(a) Social Services Program				704,698
In accordance with Sections 26-16-1 et seq., <u>Code of Alabama 1975</u> .				
SOURCE OF FUNDS:				
(1) State General Fund- Transfer	389,698			
(2) Children's Trust Fund, Estimated			315,000	
Total Child Abuse and Neglect Prevention Board	389,698	315,000		704,698
24. CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program				99,650

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
SOURCE OF FUNDS:				
(1) Alabama State Board of Chiropractic Examiner's Fund			99,650	
As provided in Section 34-24-143, Code of Ala- bama 1975.				
Total Alabama State Board of Chiropractic Examiners				
			99,650	99,650
25. CHOCCOLOCCO CREEK WATERSHED CONSERVANCY DISTRICT:				
(a) Water Development Program.....				9,643
SOURCE OF FUNDS:				
(1) State General Fund		9,643		
Total Choccolocco Creek Watershed Conservancy District		9,643		9,643
26. CHOCTAWHATCHEE-PEA RIVER CONSERVANCY OR SUCCESSOR WATERSHED MANAGEMENT AUTHORITY:				
(a) Water Development Program.....				50,000
SOURCE OF FUNDS:				
(1) State General Fund		50,000		
Total Choctawhatchee-Pea River Conservancy or Suc- cessor Watershed Management Authority.....		50,000		50,000
In addition to the above appropriation, there is here- by conditionally appropri- ated the sum of \$376,000 from the State General Fund to match federal funds for the fiscal year ending September 30, 1992; said appropriation is to be condi- tioned on the availability of funds in the State General Fund and upon approval of the Governor.				
27. CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:				

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Earmarked Funds	
(a) State Land Management Program.....			925,890
(b) Outdoor Recreation Sites and Services Program.....			27,967,378
(c) Marine Police Program.....			3,433,509
(d) Wildlife Game and Fish Program.....			16,983,080
(e) Marine Resources Program ...			2,237,000
(f) Administrative Services Program.....			3,834,147
(g) Capital Outlay Program			983,500
(h) Alabama Community Service Grant Program.....			450,000
As provided for in Sections 41-24-1 through 41-24-5, Code of Alabama 1975, as amended. The appropriation to the Department of Conser- vation and Natural Re- sources shall include Ala- bama's pro rata share of the Gulf States Marine Fisheries Commission operation ex- penses. The appropriation to the Department of Conser- vation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.			
SOURCE OF FUNDS:			
(1) State General Fund- Transfer	1,000,000		
(2) Game and Fish Fund- Licenses, Fines, Fees, Interest Income and Other Departmental Receipts		12,899,580	
(3) Game and Fish Fund- Federal and Local Funds		4,955,000	
(4) State Lands Fund		1,037,890	
The funds hereinabove appropriated from the State Lands Fund in- cludes funds for an- alyzing, cataloging and monitoring mineral reserves and the devel- opment thereof on State lands including water and offshore areas.			

Fund Sources Included In Appropriation Total			
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(5) Marine Resources Fund- Licenses, Taxes, Fines and Other Departmental Receipts		1,377,000	
(6) Marine Resources Fund- Federal and Local Funds		860,000	
In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division programs or projects which he deems appropriate.			
(7) Marine Police Fund- Licenses, Fines, Taxes and Other Departmental Receipts		2,888,509	
(8) Marine Police Fund- Federal and Local Funds		545,000	
(9) State Parks Fund.....		400,000	
(10) Parks Revolving Fund....		23,017,378	
(11) State Parks Fund- Cigarette Tax		4,000,000	
(12) Administrative Funds		3,834,147	
The funds hereinabove appropriated shall be payable as provided in Section 9-2-1 et seq., Code of Alabama 1975.			
Total Department of Conservation and Natural Resources	1,000,000	55,814,504	56,814,504

28. CONTRACTORS, STATE
LICENSING BOARD
FOR GENERAL:

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
(a)	Professional and Occupational Licensing and Regulation Program.....			513,252
	SOURCE OF FUNDS:			
	(1) State Licensing Board for General Contractors Fund		513,252	
	Pursuant to Section 34-8-25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.			
	Total State Licensing Board for General Contractors		513,252	513,252
<hr/>				
29.	CORRECTIONS, DEPARTMENT OF:			
(a)	Administrative Services and Logistical Support Program.....			10,607,699
(b)	Institutional Services Corrections Program			133,020,062
(c)	Correctional Agricultural and Industries Program			16,289,525
	The Department of Corrections shall not utilize any portion of its State General Fund appropriation to support the Correctional Industries Program, for either the agribusiness element or the industries element.			
	SOURCE OF FUNDS:			
	(1) State General Fund	134,409,377		
	(2) Department of Corrections Fund		24,357,909	
	The above figure 24,357,909 includes \$636,956 of fiscal year 1989-90 funds. Any law			

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		Fund Sources Included <u>In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
<p>to the contrary notwithstanding, it is the intent of the Legislature that any of said fiscal year 1989-90 funds not expended in fiscal year 1990-91 shall not revert, but shall remain in the Department of Corrections fund and are hereby appropriated for the operations of the department. The Commissioner of the Department of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.</p>				
(3)	Drug Demand Reduction Fund		150,000	
	In accordance with Act 90-655, 1990 Regular Session of the Alabama Legislature.			
(4)	Correctional Industries Fund-Transfer		1,000,000	
	The above transfer shall be made from the Correctional Industries Fund (No. 432) to the Department of Corrections Fund (No. 382) in the fourth fiscal quarter of fiscal year 1991-92. In addition, there is also hereby conditionally appropriated the sum of five hundred			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
thousand dollars (\$500,000) from the Correctional Industries Fund to the Department of Corrections Fund to be conditioned on the availability of funds in the Correctional Indus- tries Fund, the recom- mendation of the State Finance Director and the approval of the Governor.				
Total Department of Corrections		134,409,377	25,507,909	159,917,286
30. COSMETOLOGY, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program.....				694,000
SOURCE OF FUNDS:				
(1) Alabama Board of Cosme- tology Fund.....			694,000	
As provided in Section 34-7-42, Code of Ala- bama 1975.				
Total Alabama Board of Cosmetology			694,000	694,000
31. COUNSELING, ALABAMA BOARD OF EXAMINERS IN:				
(a) Professional and Occupational Licensing and Regulation Program.....				100,750
SOURCE OF FUNDS:				
(1) Alabama Board of Exam- iners in Counseling Fund			100,750	
As provided in Section 34-8A-6, Code of Ala- bama 1975.				
Total Alabama Board of Examiners in Counseling.....			100,750	100,750
32. CREDIT UNION ADMINI- STRATION, ALABAMA:				
(a) Charter, License and Regulate				

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
	Financial Institutions Program.....			583,856
	SOURCE OF FUNDS:			
	(1) Alabama Credit Union Administration Fund		583,856	
	As provided in Section 5-17-7, Code of Ala- bama 1975.			
	Total Alabama Credit Union Administration.....		583,856	583,856
33.	CRIME VICTIMS COMPENSA- TION COMMISSION, ALABAMA:			
	(a) Special Services Program, Estimated			846,100
	SOURCE OF FUNDS:			
	(1) Alabama Crime Victims Compensation Commission Fund, Estimated		846,100	
	To be expended in accordance with Sec- tions 15-23-1 through 15-23-26, Code of Ala- bama 1975.			
	Total Alabama Crime Victims Compensation Commission....		846,100	846,100
34.	CRIMINAL JUSTICE INFORM- ATION CENTER, ALABAMA:			
	(a) Criminal Justice Information Services Program			4,347,197
	SOURCE OF FUNDS:			
	(1) State General Fund	2,916,097		
	(2) Federal and Local Funds		1,431,100	
	Total Alabama Criminal Justice Information Center	2,916,097	1,431,100	4,347,197
35.	DEVELOPMENT OFFICE, ALABAMA:			
	(a) Promotional Development Program - Alabama Film Commission			294,082
	(b) Administrative Services Program.....			247,791
	(c) Industrial Development			

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Earmarked Funds	
Program - Alabama Development Office			4,403,966
SOURCE OF FUNDS:			
(1) State General Fund- Alabama Development Office	4,203,966		
(2) State General Fund- Office of Minority Business	154,919		
(3) State General Fund- Small Business Office of Advocacy	92,872		
(4) State General Fund- Alabama Film Commission	294,082		
(5) Departmental Receipts ...		200,000	
Total Alabama Development Office	4,745,839	200,000	4,945,839
36. DIETETICS/NUTRITION PRACTICE, ALABAMA STATE BOARD OF EXAMINERS FOR:			
(a) Professional and Occupational Licensing and Regulation Program			60,000
SOURCE OF FUNDS:			
(1) State Board of Dietetics/ Nutrition Fund		60,000	
Total Alabama State Board of Examiners for Dietetics/ Nutrition Practice		60,000	60,000
37. DISTRICT ATTORNEYS:			
(a) Court Operations Program			15,607,320
The proposed spending plan included in the above total is as follows:			
Salaries of District Attorneys	3,217,493		
For the use of the elected Assistant District Attorney of the Bessemer Division of the 10th Judicial Circuit. 159,652			
Salaries and expenses of Supernumerary District Attorneys	1,340,113		
For use in the District Attorney's Office of the following Judicial Circuits:			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
1st	Judicial Circuit...	156,019		
2nd	Judicial Circuit...	152,886		
3rd	Judicial Circuit...	261,497		
4th	Judicial Circuit...	486,409		
5th	Judicial Circuit...	449,610		
6th	Judicial Circuit...	439,256		
7th	Judicial Circuit...	297,983		
8th	Judicial Circuit...	205,392		
9th	Judicial Circuit...	222,685		
10th	Judicial Circuit...	564,332		
11th	Judicial Circuit...	147,951		
12th	Judicial Circuit...	386,166		
13th	Judicial Circuit...	574,683		
14th	Judicial Circuit...	198,895		
15th	Judicial Circuit...	617,309		
16th	Judicial Circuit...	290,619		
17th	Judicial Circuit...	188,328		
18th	Judicial Circuit...	358,928		
19th	Judicial Circuit...	242,089		
20th	Judicial Circuit...	269,054		
21st	Judicial Circuit...	229,345		
22nd	Judicial Circuit...	177,591		
23rd	Judicial Circuit...	419,284		
24th	Judicial Circuit...	144,724		
25th	Judicial Circuit...	168,562		
26th	Judicial Circuit...	249,764		
27th	Judicial Circuit...	223,758		
28th	Judicial Circuit...	293,982		
29th	Judicial Circuit...	289,843		
30th	Judicial Circuit...	280,240		
31st	Judicial Circuit...	164,303		
32nd	Judicial Circuit...	222,186		
33rd	Judicial Circuit...	181,427		
34th	Judicial Circuit...	125,918		
35th	Judicial Circuit...	173,999		
36th	Judicial Circuit...	145,054		
37th	Judicial Circuit...	239,822		
38th	Judicial Circuit...	194,231		
39th	Judicial Circuit...	184,256		
Travel Expenses of District Attorneys		75,000		
Investigators Subsistence - Section 36-21-2, Code of Alabama				
<u>1975</u>		<u>196,682</u>		
SOURCE OF FUNDS:				
(1)	State General Fund	14,922,161		
(2)	State General Fund - Act 90-111, Judicial Compensation Report	685,159		
Total District Attorneys.....		<u>15,607,320</u>		<u>15,607,320</u>

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
38.	ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:			
(a)	Administrative Support Services Program			8,021,224
(b)	Planning Program			31,218,039
	Of the above appropriation, \$800,000 shall be spent for the Regional Planning Com- missions and \$50,000 shall be expended for the Alabama Council of Economic Educa- tion.			
(c)	Special Services Program			20,647,000
	Of the above appropriation, \$800,000 shall be distributed to community action admin- istering agencies based on their populations below the poverty level.			
(d)	Skills Enhancement and Employment Opportunities Program			73,229,620
(e)	Energy Management Program			4,734,281
(f)	Traffic Control and Accident Prevention Program			2,831,099
(g)	Law Enforcement Planning and Development Program			10,597,586
(h)	Surplus Property Program			1,647,092
	SOURCE OF FUNDS:			
(1)	State General Fund	7,420,820		
(2)	Federal and Local Funds		136,086,805	
(3)	Administrative Transfers and Other Departmental Receipts		7,821,224	
(4)	Administrative Trans- fers from Federal- Donated Surplus Property Sales		951,855	
(5)	Administrative Transfers from State-Owned Surplus Property Sales		645,237	
	Total Alabama Department of Economic and Community Affairs	7,420,820	145,505,121	152,925,941
39.	EDUCATION, DEPARTMENT OF:			
(a)	Rehabilitation Services Program			5,415,674

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
SOURCE OF FUNDS:				
(1) State General Fund- Homebound	1,928,600			
(2) State General Fund-Eye Injury Register.....	48,215			
(3) Federal and Local Funds			3,438,859	
Total Department of Education	1,976,815	3,438,859		5,415,674
40. ELECTRICAL CONTRACTORS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program.....				94,000
SOURCE OF FUNDS:				
(1) Electrical Contractors Board Fees.....			94,000	
As provided in Section 34-36-17, Code of Ala- bama 1975.				
Total Board of Electrical Contractors			94,000	94,000
41. ELK RIVER DEVELOPMENT AGENCY:				
(a) Water Resource Development Program.....				4,113
SOURCE OF FUNDS:				
(1) State General Fund	4,113			
Total Elk River Development Agency	4,113			4,113
42. EMERGENCY MANAGEMENT AGENCY:				
(a) Readiness and Recovery Program.....				15,194,266
(b) Transfer to County Emergency Management Agencies				350,000
The above appropriation of \$350,000 is to be in addition to the regular allocations to county emergency manage- ment agencies.				
SOURCE OF FUNDS:				
(1) State General Fund	1,238,686			
(2) Federal and Local Funds			14,305,580	

		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Total Emergency Management Agency		1,238,686	14,305,580	15,544,266
43. ENERGY BOARD, SOUTHERN STATES:				
(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Re- search and Topographic Mapping Program				26,180
SOURCE OF FUNDS:				
(1) State General Fund		26,180		
Total Southern States Energy Board		26,180		26,180
44. ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:				
(a) Professional and Occupational Licensing and Regulation Program				530,120
SOURCE OF FUNDS:				
(1) Professional Engineers Fund			530,120	
As provided in Section 34- 11-36, Code of Alabama 1975.				
Total State Board of Regis- tration for Professional Engineers and Land Surveyors			530,120	530,120
45. ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:				
(a) Environmental Management Program				54,420,306
SOURCE OF FUNDS:				
(1) State General Fund- Transfer		5,679,669		
(2) State General Fund- Transfer to Water Pollution Control Authority		1,100,000		
(3) State General Fund- Transfer to Hazardous Substance Cleanup Fund		50,000		
(4) Environmental Manage- ment Fines and Fees			6,791,699	

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
	As provided in Section 22-22A-11, <u>Code of Alabama 1975.</u>			
(5)	Federal and Local Funds		9,798,938	
(6)	Federal Match-Water Pollution Control Authority		26,600,000	
(7)	Transfer from Underground Storage Tank Trust Fund As provided in Section 22-35-9, <u>Code of Ala- bama 1975.</u>		400,000	
(8)	Underground Storage Trust Fund Fees As provided in Section 22-35-5, <u>Code of Alabama 1975.</u>		4,000,000	
	Total Department of Environ- mental Management	6,829,669	47,590,637	54,420,306
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46.	ETHICS COMMISSION, ALABAMA:			
(a)	Regulation of Public Officials and Employees Program.....			409,845
	SOURCE OF FUNDS:			
(1)	State General Fund	409,845		
	Total Alabama Ethics Commission	409,845		409,845
<hr/>				
47.	FARMERS' MARKET AUTHORITY:			
(a)	Agricultural Development Services Program			505,541
(b)	Capital Outlay Program			343,308
	SOURCE OF FUNDS:			
(1)	State General Fund	412,238		
(2)	Farmers' Market Authority Fund		436,611	
	Total Farmers' Market Authority	412,238	436,611	848,849
<hr/>				
48.	FINANCE, DEPARTMENT OF:			
(a)	Fiscal Management Program.....			4,945,939
(b)	Administrative Support Services Program			4,351,395
	SOURCE OF FUNDS:			

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
	(1) State General Fund.....	9,125,141		
	(2) Miscellaneous Funds		172,193	
	Total Department of Finance	9,125,141	172,193	9,297,334
49. FINANCE, DEPARTMENT OF - AIR TRANSPORTATION:				
	(a) Administrative Support Services Program			1,784,039
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer	1,207,131		
	(2) Departmental Receipts, Estimated		576,908	
	Total Department of Finance - Air Transporta- tion	1,207,131	576,908	1,784,039
50. FINANCE, DEPARTMENT OF - CAPITOL COMPLEX MAIN- TENANCE AND REPAIR:				
	(a) Administrative Support Services Program			8,614,693
	SOURCE OF FUNDS:			
	(1) Capitol Complex Revolving Fund		8,614,693	
	Total Department of Finance - Capitol Complex Maintenance and Repair		8,614,693	8,614,693
51. FINANCE, DEPARTMENT OF - DATA CENTER REVOLVING FUND:				
	(a) Administrative Support Services Program			22,000,495
	SOURCE OF FUNDS:			
	(1) Data Center Revolving Fund		22,000,495	
	Total Department of Finance - Data Center Revolving Fund		22,000,495	22,000,495
	It is the intent of the Legisla- ture that the Data Systems Management Division-De- partment of Finance shall absorb \$180,000 in increased computer time usage for the State Personnel Department			

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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
		Appropriation Total	
and shall continue to loan five (5) clerical employees to the State Personnel Department resulting from the implementation of Government Human Resources System (GHRM) for the fiscal year beginning October 1, 1991.			
52. FINANCE, DEPARTMENT OF - RISK MANAGEMENT:			
(a) Administrative Support Services Program			1,717,743
SOURCE OF FUNDS:			
(1) State Insurance Fund-Admin		1,202,420	
As provided in Sections 41-15-1 et seq., Code of Alabama 1975.			
(2) General Liability Trust Administrative Fund		515,323	
As provided in Sections 36-1-6.1, et seq., Code of Alabama 1975.			
Total Department of Finance - Risk Management..		1,717,743	1,717,743
53. FINANCE, DEPARTMENT OF - CENTRAL MAIL AND SUPPLY:			
(a) Administrative Support Services Program			6,155,880
SOURCE OF FUNDS:			
(1) Mail and Supply Revolving Fund		6,155,880	
Total Department of Finance - Central Mail and Supply		6,155,880	6,155,880
54. FINANCE, DEPARTMENT OF - MOTOR POOL:			
(a) Administrative Support Services Program			2,094,185
SOURCE OF FUNDS:			
(1) Motor Pool Revolving Fund		2,094,185	
Total Department of Finance - Motor Pool		2,094,185	2,094,185

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
55. FINANCE, DEPARTMENT OF - PRINTING AND PUBLICATIONS:				
(a)	Administrative Support Services Program			6,249,289
	SOURCE OF FUNDS:			
	(1) Printing and Publica- tions Revolving Fund.....		6,249,289	
	Total Department of Finance - Printing and Publications		6,249,289	6,249,289
56. FINANCE, DEPARTMENT OF - TELEPHONE REVOLVING FUND:				
(a)	Administrative Support Services Program			12,362,184
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer	1,747,312		
	(2) Telephone Revolving Fund, Est		10,614,872	
	Total Department of Finance - Telephone Revolving Fund....	1,747,312	10,614,872	12,362,184
57. FOREIGN TRADE RELATIONS COMMISSION:				
(a)	Special Services Program			100,514
	SOURCE OF FUNDS:			
	(1) State General Fund	100,514		
	Total Foreign Trade Relations Commission	100,514		100,514
58. FORENSIC SCIENCES, DEPARTMENT OF:				
(a)	Forensic Science Services Program			7,648,697
	SOURCE OF FUNDS:			
	(1) State General Fund	6,745,871		
	(2) Federal and Local Funds		902,826	
	Total Department of Forensic Sciences	6,745,871	902,826	7,648,697
59. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:				
(a)	Professional and Occupational Licensing and Regulation			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Program.....				45,000
SOURCE OF FUNDS:				
(1) Professional Foresters				
Fund			45,000	
As provided in Section				
34-12-36, Code of				
Alabama 1975.				
Total Alabama State Board				
of Registration for				
Foresters			45,000	45,000
<hr/>				
60. FORESTRY COMMISSION, ALABAMA:				
(a) Forest Resources Protection				
and Development Program....				23,813,983
(b) People Against A Littered				
State				50,000
(c) Birmingham Metro Forestry				
Unit.....				100,000
SOURCE OF FUNDS:				
(1) State General Fund-				
Transfer	13,512,213			
(2) Federal and Local				
Funds		3,557,721		
(3) Forestry Commission				
Fund		6,894,049		
Total Alabama Forestry				
Commission	13,512,213	10,451,770		23,963,983
<hr/>				
Of the above appropriation, \$2,572,752 shall be used for rural and community fire protection. Of the above appropriation, \$482,150 shall be used for forestry research, marketing, management and environmental improvement grants. There is hereby appropriated \$150,000 to the Forestry Commission for the purchase of Aircraft for forest fire surveillance for District 7 to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.				
61. FUNERAL SERVICE, ALABAMA BOARD OF:				
(a) Professional and Occupational				

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
Licensing and Regulation Program.....				150,000
SOURCE OF FUNDS:				
(1) Alabama Funeral Directors and Embalmers Fund			150,000	
As provided in Section 34-13-23, Code of Alabama 1975.				
Total Alabama Board of Funeral Service			150,000	150,000
62. GEOLOGICAL SURVEY:				
(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program.....				3,282,911
SOURCE OF FUNDS:				
(1) State General Fund		2,433,263		
(2) Federal and Local Funds			849,648	
Total Geological Survey		2,433,263	849,648	3,282,911
63. GORGAS MEMORIAL BOARD:				
(a) Historical Resources Management Program				4,822
SOURCE OF FUNDS:				
(1) State General Fund		4,822		
As provided in Section 41-9-220, Code of Alabama 1975, and an additional amount.				
Total Gorgas Memorial Board.....		4,822		4,822
64. GOVERNOR'S CONTINGENCY FUND:				
(a) Executive Direction Program.....				645,279
SOURCE OF FUNDS:				
(1) State General Fund		645,279		
Total Governor's Contingency Fund.....		645,279		645,279
65. GOVERNOR'S MANSION ADVISORY BOARD:				
(a) Historical Resources Management Program				17,979

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		<u>Fund Sources Included In Appropriation Total</u>	
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
SOURCE OF FUNDS:			
(1) State General Fund	8,749		
(2) Governor's Mansion Advisory Board Fund		9,230	
Total Governor's Mansion Advisory Board	8,749	9,230	17,979
66. GOVERNOR'S MANSION:			
(a) Executive Direction Program.....			194,166
SOURCE OF FUNDS:			
(1) State General Fund	194,166		
Total Governor's Mansion	194,166		194,166
67. GOVERNOR'S OFFICE:			
(a) Executive Direction Program.....			1,686,207
SOURCE OF FUNDS:			
(1) State General Fund	1,686,207		
Total Governor's Office	1,686,207		1,686,207
68. GOVERNOR'S OFFICE ON VOLUNTEERISM:			
(a) Executive Direction Program.....			84,769
SOURCE OF FUNDS:			
(1) State General Fund	84,769		
Total Governor's Office on Volunteerism	84,769		84,769
69. HEALTH, DEPARTMENT OF PUBLIC:			
(a) Personal Health Services Program.....			97,050,105
(b) Health Support Services Program.....			90,365,735
Of the amount appropriated to support local health department services, \$5,000,000 shall be used to provide a minimum staff in each of the 67 counties and the remaining shall be allocated to the counties on the basis of need and a match formula to be determined by the Depart- ment.			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
(c)	Administrative Services Program.....			12,506,899
	SOURCE OF FUNDS:			
	(1) State General Fund.....	28,937,727		
	(2) Cigarette Tax-\$0.01 and \$0.02.....		2,632,060	
	As provided in Section 40-25-2 and Section 40- 25-23, <u>Code of Alabama</u> 1975.			
	(3) Vital Statistics Fund.....		1,130,000	
	(4) Hospital Licensing Fund.....		518,063	
	(5) Emergency Medical Services Fund.....		50,000	
	As provided in Section 22-18-4, <u>Code of</u> <u>Alabama 1975.</u>			
	(6) Local Health Depart- ments.....		61,132,319	
	(7) Nuclear Monitoring Fund.....		158,247	
	(8) Radiation Safety Fund.....		389,438	
	(9) Miscellaneous Funds.....		15,918,891	
	(10) Federal Funds.....		89,055,994	
	Total Department of Public Health.....	28,937,727	170,985,012	199,922,739
	Of the above appropriation to the Department of Public Health, at least \$2,000,000 shall be spent on perinatal projects. The Department of Public Health will reimburse to the Alabama Medicaid Agency the state match necessary to cover increased revenues for services as a result of fee increases. The Department of Public Health will be responsible to the Alabama Medicaid Agency for any disallowance of Public Health Department costs as a result of federal or state audit.			

70. HEALTH PLANNING AGENCY,
STATE:

(a) Health Planning Development

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
and Regulation Program				872,803
SOURCE OF FUNDS:				
(1) State General Fund		322,803		
(2) Certificate of Need Fees			500,000	
(3) Departmental Receipts ...			50,000	
Total State Health Plan- ning Agency		322,803	550,00	872,803
<hr/>				
71. HEARING AID DEALERS, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program.....				55,202
SOURCE OF FUNDS:				
(1) State Board of Health - Hearing Aid Fund			55,202	
As provided in Section 34-14-33, Code of Alabama 1975.				
Total Alabama Board of Hearing Aid Dealers			55,202	55,202
<hr/>				
72. HEATING AND AIR CONDI- TIONING CONTRACTORS, BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program.....				231,500
SOURCE OF FUNDS:				
(1) Heating and Air Con- ditioning Contractors Fund			231,500	
Total Board of Heating and Air Conditioning Contractors			231,500	231,500
<hr/>				
73. HERITAGE TRUST FUND, ALABAMA:				
(a) Fiscal Management Program.....				20,000
SOURCE OF FUNDS:				
(1) Heritage Trust Income.....			20,000	
Total Alabama Heritage Trust Fund			20,000	20,000
<hr/>				
74. HIGHWAY DEPARTMENT:				
(a) Central Administration Program.....				15,052,239

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(b)	Division and District Super- vision Program			24,814,231
(c)	Operations and Support Services Program			9,501,750
(d)	Maintenance Program			151,806,046
(e)	Non-Programmatic Programs			21,029,566
	Proposed spending plan for the above (e) includes the following:			
	Debt Service .....15,111,595			
	Road Machinery and Equip- ment .....1,152,500			
	Equipment-Other than Auto- motive .....4,765,473			
(f)	Construction-Federal Aid Program.....			291,568,744
	Proposed spending plan for the above (f) includes the following:			
	Federal Aid			
	Matching .....39,352,929			
	Non-Participating Work on Federal Projects ....1,000,000			
	Federal Aid .....251,215,815			
(g)	Construction-State Program.....			25,125,000
(h)	Operations-Land and Buildings.....			2,132,000
(i)	Captive County Health Insurance			168,480
SOURCE OF FUNDS:				
(1)	State General Fund- Transfer	221,533		
(2)	Public Road and Bridge Fund		289,760,710	
(3)	Federal Aid		251,215,815	
	There is hereby appro- priated, for payment of the principal of and the interest on all bonds theretofore or hereafter issued for public high- ways and bridge pur- poses, or either, by the State of Alabama, Alabama Highway Au- thority, Alabama Feder- al Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation,			

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Fund Sources Included
In Appropriation Total

<u>General</u> <u>Fund</u>	<u>Earmarked</u> <u>Funds</u>	<u>Appropriation</u> <u>Total</u>
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a total of \$15,111,595 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the State Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

- (1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full,
- (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), except for Debt Service, hereof shall be allocated among the purposes referred to in said

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Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available. The Highway Department shall construct turn lanes, north and south, on Highway 31 at Lawson Trailer Park in Limestone County.

Total Highway Department ...
In addition to the above appropriation to the Highway Department, there is hereby appropriated the sum of \$350,000 from any sources available to the Highway Department as the state match for additional federal mass transit funds to purchase capital equipment (rolling stock) for the state mass transportation program and for an insurance and/or self-insurance program.

<u>Fund Sources Included In Appropriation Total</u>		
<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>

<u>221,533</u>	<u>540,976,525</u>	<u>541,198,058</u>
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75. HISTORIC BLAKELEY
AUTHORITY:

(a) Historical Resources Management Program	303,899
SOURCE OF FUNDS:	
(1) State General Fund	303,899
Total Historic Blakeley	

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		<u>Fund Sources Included In Appropriation Total</u>	
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Authority.....	303,899		303,899
Any law to the contrary notwithstanding, any funds encumbered for capital outlay purposes by the Historic Blakeley Authority shall not revert to the State General Fund but shall be carried over from previous fiscal years to be used for said capital outlay purposes.			
76. HISTORIC CHATTAHOOCHEE COMMISSION:			
(a) Historical Resources Management Program.....			136,931
SOURCE OF FUNDS:			
(1) State General Fund.....	136,931		
Total Historic Chattahoochee Commission	136,931		136,931
77. HISTORICAL COMMISSION, ALABAMA:			
(a) Historical Resources Management Program			2,672,974
(b) Capital Outlay Program			48,215
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	1,329,041		
The above appropriation shall be distributed as follows:			
Historical Commission, Alabama			249,416
Historical Commission, Alabama-La Grange			7,496
Historical Commission, Alabama-Magnolia Grove			36,643
Historical Commission, Alabama-Fort Morgan			174,538
Historical Commission, Alabama- Fort Morgan-Capital Outlay			48,215
Historical Commission, Alabama-Fort Toulouse.....			106,356
Historical Commission, Alabama-John T. Morgan House, Selma			11,051
Historical Commission, Alabama-Cahaba			144,645
Historical Commission, Alabama-Gaineswood			71,595

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	Fund Sources Included In Appropriation Total		Appropriation Total
	General Fund	Earmarked Funds	
Historical Commission, Ala- bama-St. Stephens	10,000		
Main Street	49,086		
(2) Soldiers Fund		176,167	
As provided in Section 40-8-3, Code of Ala- bama 1975.			
(3) Alabama State Historical Preservation Fund- Departmental Receipts ...		694,979	
(4) Federal and Local Funds		521,002	
Total Alabama Historical Commission	1,329,041	1,392,148	2,721,189

78. HUMAN RESOURCES,
DEPARTMENT OF:

(a) Human Services Program		360,797,179
It is the intent of the Legisla- ture that allotments be made to the County Departments of Human Resources in the amount of \$165,500 to fund, upon approval of the county department director, supple- mental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000.		
(b) Jobs Opportunities and Basic Skills Training (JOBS) Program		1,444,200
SOURCE OF FUNDS:		
(1) State General Fund- Transfer	40,141,115	
(2) Federal and Local Funds		225,202,230
(3) ABC Profits		1,100,000
(4) Whiskey Tax		20,500,000
(5) Beer Tax		8,600,000
(6) Pension Residue		18,000,000
(7) Sales Tax		1,322,000

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<u>Fund Sources Included In Appropriation Total</u>			
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(8) Franchise Tax		16,775,000	
(9) Child Support Collections		4,301,034	
(10) Sales Tax for Food Stamps, Est		19,800,000	
In accordance with Section 40-23-35, <u>Code</u> of Alabama 1975.			
(11) Cigarette Tax		4,000,000	
(12) Contractor's Gross Receipts Tax		2,500,000	
Total Department of Human Resources	40,141,115	322,100,264	362,241,379

Of the above State General Fund appropriation, at least \$454,852 shall be used to increase foster care payments by 6.4% in fiscal year 1992. Such increase will be made in fiscal year 1992 to allow for the initial implementation of a four-year phase-in designed to bring Alabama to the Southeastern payment average in the foster care program. Of the above State General Fund appropriation, at least \$5,602,613 shall be used to increase total benefit payments of Aid to Families with Dependent Children (AFDC) by 16% in fiscal year 1992. Such increase will be made in fiscal year 1992 to allow for the initial implementation of a four-year phase-in designed to bring Alabama to the Southeastern payment average in the AFDC program.

**79. INDIAN AFFAIRS COM-
MISSION, ALABAMA:**

(a) Social Services Program	197,332
The above appropriation is to be expended in accor- dance with Sections 41-9-708 et seq., <u>Code of Alabama</u> 1975.	
SOURCE OF FUNDS:	
(1) State General Fund	<u>197,332</u>

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Total Alabama Indian Affairs Commission		197,332		197,332
80. INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:				
(a) Industrial Development Program.....				100,000
SOURCE OF FUNDS:				
(1) SIDA Application Fees Fund			100,000	
Total State Industrial Development Authority		100,000		100,000
81. INDUSTRIAL RELATIONS, DEPARTMENT OF:				
(a) Employment Security Program.....				43,859,446
(b) Industrial Safety and Accident Prevention Program.....				7,404,063
Of the above appropriation \$90,000 shall be distributed to the Mine Academy at Walker State Technical Col- lege, and at least \$133,000 shall be expended for the enforcement of child labor laws.				
(c) Administrative Services Program.....				11,301,020
(d) Workmen's Compensation Program.....				639,370
SOURCE OF FUNDS:				
(1) State General Fund	1,372,914			
(2) Federal and Local Funds		61,830,985		
Total Department of Industrial Relations	1,372,914	61,830,985		63,203,899
82. INSURANCE, DEPARTMENT OF:				
(a) Regulatory Services Program.....				3,968,129
SOURCE OF FUNDS:				
(1) State General Fund	2,299,661			
(2) Fire Marshal's Fund		177,360		
As provided in Sections 34-33-11 and 8-17-211, Code of Alabama 1975.				
(3) Examination Revolving				

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
	Fund		1,491,108	
	Total Department of			
	Insurance	2,299,661	1,668,468	3,968,129
83. INSURANCE BOARD, STATE EMPLOYEES':				
	(a) Administrative Support Services Program			543,095
	SOURCE OF FUNDS:			
	(1) State Employees' Insurance Board			
	Expense Fund		543,095	
	Total State Employees' Insurance Board		543,095	543,095
84. INTERIOR DESIGNERS, ALABAMA STATE BOARD OF REGISTRATION FOR:				
	(a) Professional and Occupational Licensing and Regulation Program			11,100
	SOURCE OF FUNDS:			
	(1) Interior Designer Fund...		11,100	
	As provided in Section 34-15A-7, Code of Alabama 1975.			
	Total Alabama State Board of Registration for Interior Designers		11,100	11,100
85. LABOR, DEPARTMENT OF:				
	(a) Regulatory Services Program			378,205
	SOURCE OF FUNDS:			
	(1) State General Fund	328,205		
	(2) Federal and Local Funds		50,000	
	Total Department of Labor	328,205	50,000	378,205
86. LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF:				
	(a) Professional and Occupational Licensing and Regulation Program			29,762
	SOURCE OF FUNDS:			

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		Fund Sources Included In Appropriation Total	
	General Fund	Earmarked Funds	Appropriation Total
(1) Landscape Architect's Fund		29,762	
As provided in Section 34-17-6, <u>Code of Ala- bama 1975.</u>			
Total Board of Examiners of Landscape Architects		29,762	29,762
87. LIEUTENANT GOVERNOR, OFFICE OF THE:			
(a) Legislative Operations and Support Program			614,945
SOURCE OF FUNDS:			
(1) State General Fund	614,945		
Total Office of the Lieutenant Governor	614,945		614,945
88. LIQUEFIED PETROLEUM GAS BOARD:			
(a) Regulatory Services Program			407,000
SOURCE OF FUNDS:			
(1) Liquefied Petroleum Gas Board Fund		407,000	
Total Liquefied Petroleum Gas Board		407,000	407,000
89. MANUFACTURED HOUSING COMMISSION, ALABAMA:			
(a) Regulatory Services Program			821,525
SOURCE OF FUNDS:			
(1) Alabama Manufactured Housing Commission Fund		781,525	
As provided in Section 24-6-4 <u>Code of Alabama 1975.</u>			
(2) Transfer from Mobile Home Title Fee Receipts Levied in Section 3-8-6, <u>Code of Alabama, 1975.</u>		40,000	
Total Alabama Manufactured Housing Commission		821,525	821,525
90. MEDICAID AGENCY, ALABAMA:			
(a) Medical Assistance Through			

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<u>Fund Sources Included In Appropriation Total</u>			
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Medicaid Program			1,583,953,904
The Medicaid Agency will reimburse the Department of Public Health for actual costs (in compliance with OMB Circular A.87 and Health Care Financing Administration guidelines) for services provided.			
SOURCE OF FUNDS:			
(1) State General Fund	139,000,000		
(2) Transfer from Department of Human Resources		9,916,738	
(3) Transfer from Mental Health		40,713,723	
(4) Transfer from Commission on Aging		2,974,870	
(5) Transfer from Department of Public Health		8,270,278	
(6) Transfer from Department of Youth Services		15,473	
(7) Indigent Care Trust Fund		48,000,000	
(8) Alabama Health Care Trust Fund		172,700,000	
(9) Departmental Receipts		720,000	
(10) Federal and Local Funds		1,146,596,062	
(11) Unencumbered Balance Brought Forward		15,046,760	
Total Alabama Medicaid Agency	139,000,000	1,444,953,904	1,583,953,904

In addition to the above appropriation, there is also appropriated any local funds or transfers from other state departments as may become available to facilitate the receipt of matching federal funds in order to maximize federal participation in existing programs under Medicaid. The above appropriation shall include \$350,000 of state funds to match federal funds for Health Policy Development Services administered through the extension of existing cooperative agreements.

		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
91.	MEN'S HALL OF FAME, ALABAMA:			
(a)	Historical Resources			
	Management Program			4,822
	SOURCE OF FUNDS:			
	(1) State General Fund	4,822		
	Total Men's Hall of Fame	4,822		4,822
92.	MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:			
(a)	Institutional Treatment and Care-Mental Illness Program			108,277,654
(b)	Institutional Treatment and Care-Mental Retardation Program			80,159,558
(c)	Institutional Treatment and Care-Criminally Insane Program			6,400,980
(d)	Administrative Services Program			12,030,994
(e)	Community Services Program			100,738,880
	(1) Mental Illness Services .....46,637,266			
	(2) Substance Abuse Services .....23,306,381			
	The above appropriations for Mental Illness and Substance Abuse shall be allocated by the DMH/MR to Regional Community Mental Health Boards established under Section 22-51-2, Code of Alabama 1975. First priority for appropriated funds shall be the development of a comprehensive array of services for the seriously mentally ill, seriously emo- tionally disturbed, and seri- ously addicted populations. Such services shall be pro- vided according to a plan developed by DMH/MR in full and explicit cooperation with community boards that recognizes community needs			

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	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>General Fund</u>	<u>Earmarked Funds</u>	
and DMH/MR obligations with respect to the Wyatt Consent Decree, Federal Block Grant allocation rules, and operational funding of facilities constructed with bond issue proceeds.			
(3) Mental Retardation Services .....30,795,233			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer	60,831,664		
(2) Special Mental Health Trust Fund.....		103,000,000	
For Operations and Maintenance of the State Mental Health and Mental Retardation Department and the Mental Health and Mental Retardation Community Programs, including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama state hospitals.			
(3) Transfer from ABC Profits		1,000,000	
(4) Cigarette Tax		3,500,000	
(5) Departmental Receipts		8,394,890	
(6) Federal and Local Funds		130,881,512	
Total Department of Mental Health and Mental Retardation	60,831,664	246,776,402	307,608,066

93. MILITARY DEPARTMENT:

(a) Military Operations Program.....		5,830,512
(b) Capital Outlay Program		1,068,350
SOURCE OF FUNDS:		
(1) State General Fund-Operations	1,750,699	
(2) State General Fund-Quarterly Allowances Headquarters	1,474,500	
(3) State General Fund-Capital Outlay for		

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
	Architect and Engineering Services, Specifications, Repair and Construction of Facilities	1,068,350		
	The above appropri- ation shall include funding for the design, engineering and con- struction of armories in Selma in Dallas County and Brewton in Escambia County.			
(4)	State General Fund- Active Military Service.....	35,107		
(5)	State General Fund- Transfer to Armory Commission.....	2,562,248		
(6)	State General Fund- Dropping Allowance.....	4,213		
(7)	State General Fund- State Defense Force	3,745		
	Total Military Department.....	6,898,862		6,898,862

**94. MILITARY DEPARTMENT -
ARMORY COMMISSION OF
ALABAMA:**

(a)	Military Operations Program.....		6,400,380
	SOURCE OF FUNDS:		
(1)	Transfer from Military Department	2,562,248	
(2)	Federal and Local Funds	3,730,293	
(3)	Military Department Billeting Revolving Fund, Estimated	61,239	
(4)	Departmental Receipts	46,600	
	The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made in- cludes the appropriation		

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
made for the care, maintenance and con- struction of facilities; provided, however, that the last federal govern- ment service contract reimbursement shall not revert to the State General Fund and any unobligated balance re- maining thereof in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.				
Total Armory Commission of Alabama			6,400,380	6,400,380
95. MOTOR SPORTS HALL OF FAME:				
(a) Historical Resources Management Program				128,294
SOURCE OF FUNDS:				
(1) State General Fund		128,294		
Total Motor Sports Hall of Fame		128,294		128,294
96. MUSIC HALL OF FAME, ALABAMA:				
(a) Fine Arts Program				212,487
SOURCE OF FUNDS:				
(1) State General Fund		212,487		
Total Alabama Music Hall of Fame		212,487		212,487
97. NURSING, ALABAMA BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program.....				1,636,009
SOURCE OF FUNDS:				
(1) Alabama Board of Nursing Trust Fund.....		1,636,009		
As provided in Sections 34-21-1 through 34-21-43, Code of Alabama 1975.				
Total Alabama Board of				

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		<u>Fund Sources Included In Appropriation Total</u>	
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Nursing		1,636,009	1,636,009
98. NURSING HOME ADMINI- STRATORS, BOARD OF EXAMINERS OF:			
(a) Professional and Occupational Licensing and Regulation Program.....			75,000
SOURCE OF FUNDS:			
(1) Board of Examiners of Nursing Home Admini- strators Fund		75,000	
As provided in Section 34-20-7, Code of Ala- bama 1975.			
Total Board of Examiners of Nursing Home Administrators		75,000	75,000
99. OCCUPATIONAL THERAPY, ALABAMA STATE BOARD OF:			
(a) Professional and Occupational Licensing and Regulation Program.....			35,000
SOURCE OF FUNDS:			
(1) Board of Occupational Therapy Fund		35,000	
Total Alabama State Board of Occupational Therapy		35,000	35,000
100. OIL AND GAS BOARD:			
(a) Management and Regulation of Oil and Gas Exploration and Development Program....			2,766,098
(b) Capital Outlay Program			976,216
SOURCE OF FUNDS:			
(1) State General Fund	2,462,814		
(2) Oil and Gas Board Special Fund.....		1,269,500	
(3) Surety Bond Deposits, Estimated		10,000	
In accordance with Sec- tion 9-17-6, Code of Alabama 1975.			
Total Oil and Gas Board	2,462,814	1,279,500	3,742,314
101. PARDONS AND PAROLES, BOARD OF:			

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				<u>Fund Sources Included In Appropriation Total</u>		
				<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(a) Administration of Pardons and Paroles Program						16,514,281
SOURCE OF FUNDS:						
(1) State General Fund				13,125,093		
(2) Probationers Upkeep Fund					3,389,188	
In accordance with Sec- tion 15-22-2, Code of Alabama 1975.						
Total Board of Pardons and Paroles				13,125,093	3,389,188	16,514,281
102. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:						
(a) Retirement Systems Program						397,604
SOURCE OF FUNDS:						
(1) Peace Officers' Annuity and Benefit Fund					397,604	
As provided in Section 36-21-66, Code of Ala- bama 1975.						
Total Alabama Peace Officers' Annuity and Benefit Fund					397,604	397,604
103. PERSONNEL DEPARTMENT, STATE:						
(a) Administrative Support Services Program						3,758,235
SOURCE OF FUNDS:						
Transfers to the State Personnel Department shall be as follows:						
(1) Board of Public Accountancy					338	
(2) Department of Aeronautics					564	
(3) Commission on Aging					2,256	
(4) Department of Agriculture and Industries					49,135	
(5) Agricultural and Conser- vation Development Commission					113	
(6) Agricultural Center Board					2,708	
(7) Alcoholic Beverage Control Board					89,865	
(8) Board of Registration for Architects					282	

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
(9)	Archives and History		6,713	
(10)	State Council on the Arts		1,410	
(11)	Attorney General's Office		16,585	
(12)	State Auditor		1,974	
(13)	State Banking Department		5,641	
(14)	Building Commission		2,426	
(15)	Child Abuse and Neglect Prevention Board..		564	
(16)	Chiropractic Examiners		113	
(17)	Department of Conserva- tion and Natural Resources		152,652	
(18)	State Licensing Board for General Contractors		733	
(19)	Department of Corrections		350,659	
(20)	Board of Cosmetology		1,692	
(21)	Credit Union Administration		733	
(22)	Alabama Crime Victims Compensation Commission		1,523	
(23)	Criminal Justice Information Center		6,205	
(24)	Alabama Development Office		4,851	
(25)	State Docks		31,422	
(26)	Department of Economic and Community Affairs...		38,925	
(27)	Department of Education		154,739	
(28)	Electrical Contractors Board		56	
(29)	Emergency Management Agency		5,077	
(30)	Local Emergency Management		4,504	
(31)	Employees' Insurance Board		903	
(32)	Board of Registration for Professional Engineers and Land Surveyors		508	
(33)	Department of Environ- mental Management		37,401	
(34)	Ethics Commission..		903	
(35)	Examiners of Public Accounts		25,386	

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
(36)	Farm Crisis and Transition Program Commission.....		451	
(37)	Farmers' Market Authority.....		282	
(38)	Finance Department.....		68,090	
(39)	Finance-Alabama Building Renovation Finance Authority.....		1,580	
(40)	Foreign Trade Relations Commission.....		169	
(41)	Department of Forensic Sciences.....		16,980	
(42)	Forestry Commission.....		51,222	
(43)	Funeral Services Board.....		169	
(44)	Governor's Office.....		4,457	
(45)	Department of Public Health.....		337,402	
(46)	State Health Planning Agency.....		1,523	
(47)	Board of Heating and Air Conditioning Contractors.....		564	
(48)	Highway Department.....		483,172	
(49)	Alabama Historical Commission.....		7,052	
(50)	Department of Human Resources.....		482,890	
(51)	Alabama Indian Affairs Commission.....		282	
(52)	Department of Industrial Relations.....		194,510	
(53)	Insurance Department.....		7,277	
(54)	Judicial Inquiry Commission.....		56	
(55)	Department of Labor.....		903	
(56)	Legislative Reference Service.....		677	
(57)	Liquefied Petroleum Gas Board.....		959	
(58)	Manufactured Housing Commission.....		1,580	
(59)	Alabama Medicaid Agency.....		37,401	
(60)	Department of Mental Health and Mental Retardation.....		557,862	
(61)	Military Department.....		23,862	
(62)	Board of Nursing.....		2,200	
(63)	Board of Examiners of Nursing Home			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
	Administrators.....		56	
(64)	Oil and Gas Board		13,257	
(65)	Pardons and Paroles		40,730	
(66)	Peace Officers' Annuity and Benefit Fund		282	
(67)	Peace Officers' Standards and Training Commission.....		395	
(68)	Physical Fitness Commission.....		677	
(69)	Board of Physical Therapy		56	
(70)	Plumbers and Gas Fitters Examiners Board		846	
(71)	Public Library Service.....		7,503	
(72)	Department of Public Safety		139,508	
(73)	Public Service Commission.....		17,601	
(74)	Alabama Educational Tele- vision Commission.....		9,703	
(75)	Real Estate Commission.....		2,031	
(76)	Retirement Systems		16,924	
(77)	Department of Revenue		143,626	
(78)	Secretary of State.		6,205	
(79)	Securities Commission.....		1,805	
(80)	Board of Social Work Examiners.....		169	
(81)	Soil and Water Conservation.....		395	
(82)	Surface Mining Commission.....		4,005	
(83)	Bureau of Tourism and Travel		8,800	
(84)	State Treasurer		5,246	
(85)	Department of Veterans' Affairs		7,164	
(86)	Board of Veterinary Medical Examiners		169	
(87)	Voter Registration		113	
(88)	Department of Youth Services.....		47,838	
Total State Personnel Department			3,758,235	3,758,235

104. PHYSICAL THERAPY,
BOARD OF:

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
(a)	Professional and Occupational Licensing and Regulation Program.....			82,093
	SOURCE OF FUNDS:			
	(1) Physical Therapist Fund		82,093	
	As provided in Section 34- 24-195, Code of Alabama 1975.			
	Total Board of Physical Therapy		82,093	82,093
105.	PLUMBERS AND GAS FITTERS EXAMINING BOARD, ALABAMA:			
(a)	Professional and Occupational Licensing and Regulation Program.....			1,100,000
	SOURCE OF FUNDS:			
	(1) Board of Plumbers and Gas Fitters Examiners Fund		1,100,000	
	Total Alabama Plumbers and Gas Fitters Examining Board.....		1,100,000	1,100,000
106.	POLYGRAPH EXAMINERS, BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program.....			15,000
	SOURCE OF FUNDS:			
	(1) Board of Polygraph Examiners Fund		15,000	
	As provided in Section 34-25-5, Code of Ala- bama 1975.			
	Total Board of Polygraph Examiners		15,000	15,000
107.	PROSECUTION SERVICES, OFFICE OF:			
(a)	Prosecution, Training, Education and Management Program.....			1,248,862
	SOURCE OF FUNDS			
	(1) State General Fund	218,789		
	(2) Office of Prosecution Services Fund		1,030,073	

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Total Office of Prosecution Services		218,789	1,030,073	1,248,862
In addition to the above ap- propriation, there is also hereby conditionally appro- priated the sum of \$50,000 to be made payable to the District Attorney's Office of the 28th Judicial Circuit, to be conditioned upon the availability of funds in the State General Fund and upon approval of the Governor.				
108. PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:				
(a) Professional and Occupational Licensing and Regulation Program.....				78,763
SOURCE OF FUNDS:				
(1) Board of Examiners in Psychology Fund.....			78,763	
As provided in Section 34-26-43, Code of Ala- bama 1975.				
Total Alabama Board of Examiners in Psychology.....			78,763	78,763
109. PUBLIC SAFETY, DEPARTMENT OF:				
(a) Police Services Program.....				31,444,636
(b) Public Safety Support Services Program.....				10,199,903
(c) Administrative Services Program.....				17,118,023
SOURCE OF FUNDS:				
(1) State General Fund.....		52,054,005		
(2) Transfer from ABC Profits			2,000,000	
(3) Transfer from Public Road and Bridge Fund...			2,800,000	
(4) Federal and Local Funds			1,908,557	
Total Department of Public Safety		52,054,005	6,708,557	58,762,562
Of the above appropriation to the Department of Public Safety, \$444,599 shall be expended for the Automated				

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
<p>Fingerprint Identification System (A.F.I.S.). It is the intent of the Legislature that in the event any facilities are constructed by the Department of Public Safety, such facilities shall be constructed in Mobile and Opelika before any other facilities are constructed.</p>				
110. PUBLIC SERVICE COMMISSION:				
(a)	Regulatory Services Program.....			5,267,060
(b)	Administrative Services Program.....			3,787,596
SOURCE OF FUNDS:				
(1)	Public Service Commission Fund.....		8,382,592	
<p>The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities, radio companies and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$600,000 shall be transferred to the State General Fund.</p>				
(2)	Gas Pipeline Safety Fund		500,000	
(3)	Departmental Receipts		34,783	
(4)	Federal and Local Funds		137,281	

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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
		Appropriation Total	
Total Public Service Commission			9,054,656
In addition to the above appropriation to the Public Service Commission, there is hereby conditionally appro- priated \$150,000 from the Public Service Commission Fund to be conditioned on the availability of funds, the determination of a dem- onstrated need, the recom- mendation of the State Finance Director and the approval of the Governor.			9,054,656
111.	RAPID RAIL TRANSIT COMMISSION, MISSISSIPPI, LOUISIANA, ALABAMA:		
(a)	Special Services Program		547,722
	SOURCE OF FUNDS:		
	(1) State General Fund- Transfer	547,722	
	Total Mississippi, Louisiana, Alabama Rapid Rail Transit Commission	547,722	547,722
112.	REAL ESTATE COMMISSION, ALABAMA:		
(a)	Professional and Occupational Licensing and Regulation Program.....		1,720,206
	SOURCE OF FUNDS:		
	(1) Alabama Real Estate Commission Fund.....	1,720,206	
	As provided in Section 34-27-4, Code of Ala- bama 1975 and the total expenditures shall in no manner exceed the amounts hereby appro- priated.		
	Total Alabama Real Estate Commission	1,720,206	1,720,206
113.	REAL ESTATE APPRAISERS BOARD, ALABAMA:		
(a)	Professional and Occupational Licensing and Regulation		

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	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>General Fund</u>	<u>Earmarked Funds</u>	
Program.....			375,000
SOURCE OF FUNDS:			
(1) State General Fund- Transfer	75,000		
(2) Real Estate Appraisers Board Fund.....		300,000	
In accordance with Act 90-639.			
Total Alabama Real Estate Appraisers Board	75,000	300,000	375,000
Any law to the contrary notwithstanding, there shall be transferred from the unencumbered funds remaining in the Real Estate Appraisers Board Fund on September 30, 1992 to the State General Fund, such funds that are in excess of \$300,000, any amount up to but not to exceed \$75,000.			

**114. REVENUE, DEPARTMENT
OF:**

(a) State Revenue Administration Program.....			64,168,643
(b) Capital Outlay Program			331,820
SOURCE OF FUNDS:			
(1) State General Fund- Transfer	250,000		
As provided in Section 40-7-70, Code of Alabama 1975, to maintain a program for the equalization of ad valorem tax assessments.			
(2) State General Fund-Board of Equalization	111,074		
(3) Transfer from the gross proceeds of Cigarette Tax Collections.....		1,155,490	
As provided in Section 40-25-27, Code of Alabama 1975. There is hereby conditionally appropriated to the Department of Revenue \$42,778 from Cigarette Tax Collections to be conditioned on the recommendation of the			

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<u>Fund Sources Included In Appropriation Total</u>		
<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
<p>State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.</p>		
(4) Transfer from the gross proceeds of Financial Institution Excise Tax Collections		
	299,464	
<p>There is hereby conditionally appropriated to the Department of Revenue \$11,087 from Financial Institution Excise Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.</p>		
(5) Transfer from the proceeds of the Forest Severance Tax Collections		
	110,295	
<p>There is hereby conditionally appropriated to the Department of Revenue \$4,083 from Forest Severance Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.</p>		

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Fund Sources Included In Appropriation Total		
<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(6) Transfer from the gross proceeds of Gasoline Tax Collections.....	5,243,342	
There is hereby conditionally appropriated to the Department of Revenue \$194,117 from Gasoline Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		
(7) Transfer from the Income Tax Collections.....	17,794,854	
There is hereby conditionally appropriated to the Department of Revenue \$658,795 from Income Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		
(8) Transfer from the gross proceeds of Motor Fuel Tax Collections.....	1,092,797	
There is hereby conditionally appropriated to the Department of Revenue \$40,457 from Motor Fuel Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said condi-		

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
	tional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(9)	Transfer from the gross proceeds of Motor Vehicle License Collections There is hereby conditionally appropriated to the Department of Revenue \$87,722 from Motor Vehicle License Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		2,369,473	
(10)	Transfer from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax.. There is hereby conditionally appropriated to the Department of Revenue \$26,842 from 1-Mill Ad Valorem Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		725,040	
(11)	Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax.....		1,786,308	

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Fund Sources Included In Appropriation Total		
<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
There is hereby conditionally appropriated to the Department of Revenue \$66,132 from Public School Fund for cost of collections of the 3-mill Ad Valorem Tax to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		
(12) Transfer from the gross proceeds of Sales Tax Collections	15,698,548	
There is hereby conditionally appropriated to the Department of Revenue \$581,187 from Sales Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		
(13) Transfer from the gross proceeds of the Tobacco Tax Collections.....	47,291	
There is hereby conditionally appropriated to the Department of Revenue \$1,751 from Tobacco Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
	release of the priority conditionals appropriated in Section 5 of this Act.			
(14)	Transfer from the gross proceeds of Use Tax Collections		1,718,016	
	There is hereby conditionally appropriated to the Department of Revenue \$63,604 from Use Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(15)	Transfer from the gross proceeds of the Utility Tax Collections.....		3,814,316	
	There is hereby conditionally appropriated to the Department of Revenue \$141,212 from Utility Tax Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(16)	Local Funds		6,900,000	
(17)	Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags		2,280,650	
	There is hereby conditionally appropriated to the Department of			

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<u>Fund Sources Included In Appropriation Total</u>		
<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Revenue \$84,433 from Motor Vehicle License Tag Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		
(18) Inspection fees for restored vehicles	1,276,601	
As provided in Section 32-8-87, Code of Alabama 1975. There is hereby conditionally appropriated to the Department of Revenue \$47,262 from Inspection fees for Restored Vehicles Collections to be conditioned on the recommendation of the State Finance Director and the approval of the Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.		
(19) Revenue Administration Fund-Transfer from Abandoned Property Trust Fund.....	99,904	
As provided in Section 35-12-39, Code of Alabama 1975. There is hereby conditionally appropriated to the Department of Revenue \$3,699 from Abandoned Property Trust Fund to be conditioned on the recommendation of the State Finance Director and the approval of the		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		General Fund	Earmarked Funds	
	Governor. Said conditional may be released only after the total release of the priority conditionals appropriated in Section 5 of this Act.			
(20)	Transfer from the gross proceeds of the Pharmaceutical Services Privilege Tax Collections		30,000	
	As provided in Act 91-124.			
(21)	Transfer from the gross proceeds of the Nursing Facility Privilege Tax Collections		209,000	
	As provided in Act 91-126.			
(22)	Transfer from the gross proceeds of the Disproportionate Share Hospital Privilege Tax Collections		1,488,000	
	As provided in Act 91-127. The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses, and a sum from the collections			

	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>General Fund</u>	<u>Earmarked Funds</u>	
of privilege taxes levied by Act 91-124, Act 91-126 and Act 91-127, so that the amount appropriated from those collections, including the amounts in para- graphs (20), (21), and (22) above, shall be 1% of the amounts collected from such taxes.			
Total Department of Revenue.....	361,074	64,139,389	64,500,463

115. SECRETARY OF STATE:

(a) Administrative Support Services Program			2,553,781
SOURCE OF FUNDS:			
(1) State General Fund	923,545		
(2) UCC and Farm Indexing Fund		480,010	
(3) Corporations Fund		1,150,226	
Total Secretary of State	923,545	1,630,236	2,553,781
Any law to the contrary notwithstanding, any of the funds in the trust accounts in the Secretary of State Office can be interchanged between trust accounts for the purpose of computerization and any such preparation, programming, purchasing and operations of such computer.			

116. SECURITIES COMMISSION:

(a) Regulatory Services Program			1,016,586
SOURCE OF FUNDS:			
(1) State General Fund	700,086		
(2) Sale of Checks License Fund		1,500	
(3) Securities Commission Fund		235,000	
(4) Industrial Revenue Bond Notification Fund		80,000	
Total Securities Commission	700,086	316,500	1,016,586

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
117.	SENIOR CITIZENS HALL OF FAME, ALABAMA:			
(a)	Historical Resources Manage- ment Program.....			21,871
	To be expended in accor- dance with Section 41-9-740 et seq., <u>Code of Alabama</u> 1975.			
	<u>SOURCE OF FUNDS:</u>			
	(1) State General Fund.....	21,871		
	Total Alabama Senior Citizens Hall of Fame.....	21,871		21,871
118.	SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:			
(a)	Professional and Occupational Licensing and Regulation Program.....			91,943
	<u>SOURCE OF FUNDS:</u>			
	(1) Alabama State Board of Social Work Examiners Fund.....		91,943	
	As provided in Section 34- 30-6, <u>Code of Alabama</u> 1975.			
	Total Alabama State Board of Social Work Examiners		91,943	91,943
119.	SOIL AND WATER CONSERVATION COMMITTEE, STATE:			
(a)	Water Resource Development Program.....			1,287,509
(b)	Professional and Occupational Licensing and Regulation Program.....			5,000
	<u>SOURCE OF FUNDS:</u>			
	(1) State General Fund.....	1,247,509		
	(2) Soil Classifiers Fund.....		5,000	
	As provided in Section 34-32-19, <u>Code of Ala- bama 1975.</u>			
	(3) Transfer from Agricul- tural and Conservation Development Commission.....		40,000	

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
	Total State Soil and Water Conservation Committee.....	1,247,509	45,000	1,292,509
120.	SOUTHERN GROWTH POLICIES BOARD:			
	(a) Special Services Program			27,910
	SOURCE OF FUNDS:			
	(1) State General Fund	27,910		
	Total Southern Growth Policies Board.....	27,910		27,910
121.	SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:			
	(a) Tourism and Travel Promotion Program.....			192,860
	SOURCE OF FUNDS:			
	(1) State General Fund	192,860		
	Total Alabama Space Science Exhibit Commission.....	192,860		192,860
122.	SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:			
	(a) Professional and Occupational Licensing and Regulation Program.....			55,950
	SOURCE OF FUNDS:			
	(1) Alabama Board of Exam- iners for Speech Pathology and Audiology Fund		55,950	
	As provided in Section 34-28A-44, Code of Ala- bama 1975.			
	Total Alabama Board of Examiners for Speech Pathology and Audiology.....		55,950	55,950
123.	SPORTS HALL OF FAME, ALABAMA:			
	(a) Historical Resources Management Program			139,824
	(b) Capital Outlay Program			361,612
	SOURCE OF FUNDS:			
	(1) State General Fund	139,824		
	(2) State General Fund - Capital Outlay.....	361,612		
	Total Alabama Sports Hall of Fame	501,436		501,436

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
124.	SURFACE MINING COMMISSION, ALABAMA:			
(a)	Industrial Safety and Accident Prevention Program.....			2,895,463
	SOURCE OF FUNDS:			
(1)	State General Fund- Transfer	361,613		
(2)	Surface Mining Commission-Fees		754,425	
(3)	Federal and Local Funds		1,129,425	
(4)	Bond Forfeiture/ Reclamation Projects, Estimated		650,000	
	As provided in Section 9-16-103, Code of Ala- bama 1975.			
	Total Alabama Surface Mining Commission	361,613	2,533,850	2,895,463
125.	TANNEHILL FURNACE AND FOUNDRY COMMISSION:			
(a)	Historical Resources Manage- ment Program.....			352,348
	SOURCE OF FUNDS:			
(1)	State General Fund.....	52,348		
	Total Tannehill Furnace and Foundry Commission	352,348		352,348
126.	TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:			
(a)	Water Resource Development Program.....			97,394
	SOURCE OF FUNDS:			
(1)	State General Fund.....	97,394		
	Total Tennessee-Tombigbee Waterway Development Authority.....	97,394		97,394
127.	TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:			
(a)	Promotional Development Program.....			385,442
	To be expended in accor- dance with Sections 41-9-780			

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	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>General Fund</u>	<u>Earmarked Funds</u>	
et seq., <u>Code of Alabama</u> 1975.			
SOURCE OF FUNDS:			
(1) State General Fund.....	68,240		
(2) Admissions and Concessions.....	217,202		
(3) Federal and Local Funds		100,000	
Total Tennessee Valley Exhibit Commission of Alabama	68,240	317,202	385,442
The above appropriation to the Tennessee Valley Exhibit Commission includes \$70,000 for payment of debt service on the Tennessee Valley Exhibit Commission of Alabama Project Revenue Bonds.			

**128. TOURISM AND TRAVEL,
BUREAU OF:**

(a) Tourism and Travel Promotion Program.....			5,638,824
Of the above appropriation to the Tourism and Travel Promotion Program, the sum of \$80,004 shall be made payable in 12 monthly installments of \$6,667 per month to the Tennessee Valley Exhibit Commission to operate a welcome center in the Renaissance Tower and the above appropriation shall include \$50,000 for the Cahaba Trace Commission.			
SOURCE OF FUNDS:			
(1) State General Fund.....	1,294,487		
(2) Lodgings Tax (\$0.01) Receipts collected under the provisions of Section 40-26-1 et seq., <u>Code of Ala- bama 1975.</u>		4,344,337	
Total Bureau of Tourism and Travel.....	1,294,487	4,344,337	5,638,824

129. TREASURER, STATE:

(a) Fiscal Management

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Program.....				3,581,837
SOURCE OF FUNDS:				
(1) State General Fund	1,901,341			
(2) Prepaid Affordable College Tuition Fund.....			1,680,496	
Total State Treasurer	1,901,341	1,680,496		3,581,837
130. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:				
(a) Special Services Program, Estimated				6,268
SOURCE OF FUNDS:				
(1) State General Fund	6,268			
As provided in Section 41-9-374, Code of Ala- bama 1975.				
Total Alabama Commission on Uniform State Laws	6,268			6,268
131. VETERANS' AFFAIRS, DEPARTMENT OF:				
(a) Administration of Veterans' Affairs Program.....				4,579,059
(b) Capital Outlay Program				20,000
SOURCE OF FUNDS:				
(1) State General Fund	3,233,461			
(2) Veterans Home Trust Fund-Transfer			1,365,598	
Total Department of Veterans' Affairs.....	3,233,461	1,365,598		4,599,059
Of the above appropriation to the Department of Vet- erans' Affairs, the amount necessary shall be expended to fund a full-time secretarial position in the Limestone County Office of Veterans' Affairs.				
132. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:				
(a) Professional and Occupational Licensing and Regulation Program.....				145,000
SOURCE OF FUNDS:				
(1) State Board of Veteri- nary Medical Examiners Fund			145,000	

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
As provided in Section 34-29-23 and Section 34-29-41 Code of Alabama 1975.				
Total Alabama State Board of Veterinary Medical Examiners			145,000	145,000
133.	VOTER REGISTRATION IDENTIFICATION PROGRAM:			
(a)	Special Services Program			140,086
	SOURCE OF FUNDS:			
	(1) State General Fund	140,086		
	Total Voter Registration Identification Program	140,086		140,086
134.	WOMEN'S COMMISSION, ALABAMA:			
(a)	Employment and Social Opportunities Program			12,054
	SOURCE OF FUNDS:			
	(1) State General Fund	12,054		
	Total Alabama Women's Commission	12,054		12,054
135.	WOMEN'S HALL OF FAME, ALABAMA:			
(a)	Historical Resources Management Program			5,250
	SOURCE OF FUNDS:			
	(1) State General Fund	5,250		
	Total Alabama Women's Hall of Fame	5,250		5,250
136.	YOUTH SERVICES, DEPARTMENT OF:			
(a)	Youth Services Program			4,341,366
	Of the above appropriation, at least \$1,367,355 shall be expended for community subsidies and up to \$2,974,011 shall be expended for Probation Officers subsidies.			
(b)	C.I.T.Y. Program			150,000
	It is the intent of the Legislature that the above appropriation for the C.I.T.Y.			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Program be in addition to all other financial support received from the Department of Youth Services and that said other financial support for fiscal year 1991-92 be not less than the same pro rata share of the Department's total state funding that was received in fiscal year 1990-91. The above appropriations shall be expended in accordance with the provisions of Sections 44-1-1 through 44-1-56, <u>Code of Alabama 1975</u> .				
SOURCE OF FUNDS:				
(1) State General Fund	4,341,366			
(2) State General Fund- C.I.T.Y. Program	150,000			
Total Department of Youth Services	4,491,366			4,491,366
2D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GENERAL FUND:				
1. ADVERTISING LANDS FOR TAX SALE:				
(a) State Revenue Administration Program, Estimated				115,716
SOURCE OF FUNDS:				
(1) State General Fund	115,716			
As provided in Section 40-10-22, <u>Code of Alabama 1975</u> .				
Total Advertising Lands for Tax Sale	115,716			115,716
2. ARREST OF ABSCONDING FELONS:				
(a) Criminal Investigation Program, Estimated				62,680
SOURCE OF FUNDS:				
(1) State General Fund	62,680			
As provided in Section 15-9-1 and 15-9-3, <u>Code of Alabama 1975</u> .				
Total Arrest of Absconding Felons	62,680			62,680

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
3.	ATTORNEYS' FEES FOR REAPPORTIONMENT CASES:			
(a)	Special Services Program, Estimated			144,645
	SOURCE OF FUNDS:			
	(1) State General Fund	144,645		
	Total Attorneys' Fees for Reapportionment Cases	144,645		144,645
4.	AUTOMATIC APPEAL EXPENSE:			
(a)	Legal Advice and Legal Services Program, Estimated			96
	SOURCE OF FUNDS:			
	(1) State General Fund	96		
	As provided in Section 12-22-150 and 12-22- 241, <u>Code of Alabama</u> 1975.			
	Total Automatic Appeal Expense	96		96
5.	CIVIL COURT COSTS IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS:			
(a)	State Revenue Administration Program, Estimated			193
	SOURCE OF FUNDS:			
	(1) State General Fund	193		
	As provided in Section 40-7-45, <u>Code of Ala-</u> <u>bama 1975.</u>			
	Total Civil Court Costs in Connection with Ad Valorem Tax Assessments Appeals	193		193
6.	CONSUMER UTILITY RATE HEARING:			
(a)	Executive Direction Program			241,075
	SOURCE OF FUNDS:			
	(1) State General Fund	241,075		
	As provided in Section 37-1-18, <u>Code of Ala-</u> <u>bama 1975.</u>			

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		<u>Fund Sources Included In Appropriation Total</u>	
		<u>General Fund</u>	<u>Earmarked Funds</u>
			<u>Appropriation Total</u>
Total Consumer Utility Rate Hearing		241,075	241,075
7. COURT ASSESSED COSTS NOT PROVIDED FOR:			
(a) Special Services Program, Estimated			781,682
As provided in Sections 22-52-14, 30-4-95, 26-17-17, 22-11A-1 through 22-11A-37 and 12-21-131, <u>Code of Alabama 1975.</u>			
(b) Legal Advice and Legal Services Program			394,486
It is the intent of the Legislature that the appropriation in this subsection be expended for Court Costs to include costs of depositions, witness fees and expenses, filing and docket fees, court reporters, court judgments, attorneys fees, out-of-court settlements and other expenses ordered by the court or normally identified as costs of court, when any of the above is approved by the Attorney General.			
(c) Automatic Appeal Cases Expense Program			43,832
The above appropriation shall be used to reimburse reasonable expenses incurred by attorneys representing defendants under sentence of death in state collateral proceedings, such as those under Rule 32 of the rules of Criminal Procedure. Provided, in no case may any amount be paid unless the court determines by written order in advance that the cost is both necessary and reasonable; in no single case may the total amount paid for all costs exceed \$5,000; and in no event may any amount be paid out of this appropriation as fees to any			

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
attorney for services, or to compensate any attorney for time either as an attorney in the proceeding or as a witness.				
SOURCE OF FUNDS:				
(1) State General Fund,				
Estimated	781,682			
(2) State General Fund	394,486			
(3) State General Fund -				
Automatic Appeal				
Cases	43,832			
Total Court Assessed Costs				
Not Provided For	1,220,000			1,220,000
<hr/>				
8. COURT COSTS-ACT				
NO. 558, 1957:				
(a) Court Operations Program,				
Estimated				482
SOURCE OF FUNDS:				
(1) State General Fund	482			
Pursuant to Act No. 558,				
1957, Page 777.				
Total Court Costs-Act No.				
558, 1957	482			482
<hr/>				
9. DISTRIBUTION OF				
PUBLIC DOCUMENTS:				
(a) Administrative Support				
Services Program,				
Estimated				77,144
SOURCE OF FUNDS:				
(1) State General Fund	77,144			
As provided in Sections				
36-14-1, 36-14-11 and				
41-21-8, Code of Ala-				
bama 1975.				
Total Distribution of				
Public Documents	77,144			77,144
<hr/>				
10. STATE DOCKS TRANSFER				3,500,000
SOURCE OF FUNDS:				
(1) State General Fund	3,500,000			
The above appropria-				
tion to the State Docks				
shall be conditional up-				
on the availability of				
funds and shall remain				
in the State General				

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	Fund Sources Included In Appropriation Total		
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Fund until a demon- strated need is deter- mined and recommend- ed by the State Finance Director and approved by the Governor.			
Total State Docks			
Transfer.....	3,500,000		3,500,000

11. ELECTION EXPENSES:

(a) Special Services Program, Estimated		1,928,600
(b) Secretary of State- Training of Election Officials, Estimated.....		77,144
For payment of expenses pursuant to the court order entered by the U.S. District Court, Middle District of Ala- bama in Civil Action No. 84-T-595-N.		
SOURCE OF FUNDS:		
(1) State General Fund	2,005,744	
As provided in Section 17-4-153, <u>Code of Ala-</u> <u>bama 1975.</u>		
Total Election Expenses	2,005,744	2,005,744

In addition to the above appropriation, there is hereby appropriated \$850,000 from the State General Fund to the Secretary of State for the Training of Election Officials to be conditioned on the availability of funds in the State General Fund, the demonstration of a need, the recommendation of the State Finance Director and approval of the Governor.

**12. EMERGENCY FUND,
DEPARTMENTAL:**

(a) Special Services Program		1,446,450
SOURCE OF FUNDS:		
(1) State General Fund	1,446,450	
This is the appropri- ation contemplated in Section 41-4-94, <u>Code</u>		

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		<u>Fund Sources Included In Appropriation Total</u>	
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
<p>of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office or agency. None of the above appropriation shall be transferred to the Governor's contingency fund. At least 10 days prior to the release of any of this appropriation to any state department, board, commission, bureau, office or agency, the State Finance Director shall notify the Chairman of the Senate Finance and Taxation Committee and the Chairman of the House Committee on Ways and Means of such pending transfer.</p>			
Total Departmental			
Emergency Fund.....	1,446,450		1,446,450
13. FAIR TRIAL TAX TRANSFER:			
(a) Court Operations Program,			
Estimated			2,314,320
SOURCE OF FUNDS:			
(1) State General Fund-			
Transfer	2,314,320		
Total Fair Trial Tax	2,314,320		2,314,320
14. FEEDING OF PRISONERS:			
(a) Institutional Services -			
Corrections Program,			
Estimated			3,616,125
SOURCE OF FUNDS:			
(1) State General Fund	3,616,125		

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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
			Appropriation Total
	For expenses of feeding prisoners in county jails in accordance with Sec- tion 14-6-42, Code of Alabama 1975.		
	Total Feeding of Prisoners	3,616,125	3,616,125
15.	FINANCE, DEPARTMENT OF - CAPITOL MOVING:		
	(a) Special Services Program, Estimated		96,430
	SOURCE OF FUNDS:		
	(1) State General Fund	96,430	
	Total Department of Finance - Capitol Moving	96,430	96,430
16.	DEPARTMENT OF FINANCE - EMPLOYEES' SUGGESTION AWARDS PROGRAM:		
	(a) Fiscal Management Program		9,643
	SOURCE OF FUNDS:		
	(1) State General Fund	9,643	
	In accordance with Sec- tion 36-1-7, Code of Alabama 1975.		
	Total Department of Finance - Employees' Suggestion Awards Program	9,643	9,643
17.	FOREST FIRE FUND, EMERGENCY:		
	(a) Forest Resources Protection and Development Program		180,000
	SOURCE OF FUNDS:		
	(1) State General Fund- Transfer	180,000	
	The appropriation to the Emergency Forest Fire Fund shall be condi- tional as provided by Section 9-3-10.1, Code of Alabama 1975 and shall remain in the State General Fund until a demonstrated need is determined and recom- mended by the State Finance Director and		

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		<u>Fund Sources Included In Appropriation Total</u>	
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
approved by the Governor.			
Total Emergency Forest Fire Fund	180,000		180,000
18. GOVERNOR'S CONFERENCE, NATIONAL:			
(a) Executive Direction Program, Estimated			153,420
SOURCE OF FUNDS:			
(1) State General Fund	153,420		
Total National Governor's Conference	153,420		153,420
19. GOVERNOR'S COUNCILLOR:			
(a) Executive Direction Program, Estimated			25,072
SOURCE OF FUNDS:			
(1) State General Fund	25,072		
As provided in Section 36-13-13, Code of Ala- bama 1975.			
Total Governor's Councillor	25,072		25,072
20. GOVERNOR'S PROCLAMATION EXPENSES:			
(a) Executive Direction Program, Estimated			192,860
SOURCE OF FUNDS:			
(1) State General Fund	192,860		
As provided in Section 17-14-21, Code of Ala- bama 1975.			
Total Governor's Proclama- tion Expenses	192,860		192,860
21. GOVERNOR'S WIDOWS RETIREMENT:			
(a) Executive Direction Program, Estimated			27,772
SOURCE OF FUNDS:			
(1) State General Fund	27,772		
As provided in Section 36-13-12, Code of Ala- bama 1975.			
Total Governor's Widows Retirement	27,772		27,772

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>General Fund</u>	<u>Earmarked Funds</u>	
22.	LAW ENFORCEMENT FUND:			
(a)	Criminal Investigation Program, Estimated			19,286
	SOURCE OF FUNDS:			
(1)	State General Fund	19,286		
	As provided in Sections 28-4-311 and 28-4-312, Code of Alabama 1975.			
	Total Law Enforcement Fund	19,286		19,286
23.	LAW ENFORCEMENT LEGAL DEFENSE:			
(a)	Legal Advice and Legal Services Program, Estimated			2,893
	SOURCE OF FUNDS:			
(1)	State General Fund	2,893		
	To carry out provisions of Section 36-21-1, Code of Alabama 1975.			
	Total Law Enforcement Legal Defense	2,893		2,893
24.	MAILING TAX NOTICES:			
(a)	State Revenue Administration Program, Estimated			96
	SOURCE OF FUNDS:			
(1)	State General Fund	96		
	As provided in Section 40-7-25, Code of Ala- bama 1975.			
	Total Mailing Tax Notices	96		96
25.	MILITARY - EMERGENCY ACTIVE DUTY PAY:			
(a)	Military Operations Program, Estimated			192,860
	SOURCE OF FUNDS:			
(1)	State General Fund	192,860		
	As provided in Section 31-2-133, Code of Ala- bama 1975.			
	Total Military - Emergency Active Duty Pay	192,860		192,860

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
26.	PRESIDENTIAL ELECTORAL EXPENSE:			
	(a) Special Services Program, Estimated			1,929
	SOURCE OF FUNDS:			
	(1) State General Fund	1,929		
	As provided in Section 17-19-8, Code of Ala- bama 1975.			
	Total Presidential Electoral Expense.....	1,929		1,929
27.	PRINTING OF CODE SUP- PLEMENTS - LEGISLATIVE REFERENCE SERVICE:			
	(a) Legislative Operations and Support Program, Estimated			289,290
	SOURCE OF FUNDS:			
	(1) State General Fund	289,290		
	As provided in Section 29-7-6, Code of Ala- bama 1975.			
	Total Printing of Code Supplements - Legislative Reference Service.....	289,290		289,290
28.	PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:			
	(a) Administrative Support Services Program, Estimated			159,110
	SOURCE OF FUNDS:			
	(1) State General Fund	159,110		
	As provided in Sections 41-21-1 through 41-21-8 and 41-4-154, Code of Alabama 1975.			
	Total Printing Codes and Supplements - Secretary of State.....	159,110		159,110
29.	PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
	(a) Administrative Support Services Program, Estimated			482,150

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
SOURCE OF FUNDS:				
(1) State General Fund	482,150			
As provided in Sections 41-4-130 through 41-4- 161, <u>Code of Alabama</u> 1975.				
Total Printing of Legislative Acts and Journals	482,150			482,150
<hr/>				
30. PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:				
(a) State Revenue Administration Program, Estimated				24,108
SOURCE OF FUNDS:				
(1) State General Fund	24,108			
Total Printing of State and County Privilege Licenses	24,108			24,108
<hr/>				
31. REGISTRATION OF VOTERS:				
(a) Special Services Program, Estimated				1,494,665
SOURCE OF FUNDS:				
(1) State General Fund	1,494,665			
In accordance with Sections 17-4-126 and 17-4-153, <u>Code of Ala-</u> <u>bama 1975.</u>				
Total Registration of Voters	1,494,665			1,494,665
<hr/>				
32. REMOVAL OF PRISONERS:				
(a) Administrative Services and Logistical Support Program, Estimated				371,256
SOURCE OF FUNDS:				
(1) State General Fund	371,256			
As provided in Sections 15-10-70 through 15-10- 73, 15-9-62, 15-9-65 and 15-9-81, <u>Code of Ala-</u> <u>bama 1975.</u>				
Total Removal of Prisoners	371,256			371,256
<hr/>				
33. STATE GENERAL FUND, ESTIMATED BUT NOT LESS THAN				57,000,000

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:				
(1)	Heritage Trust Income Fund Transfer, Estimated but not less than		57,000,000	
	All income other than in- come realized on sale of Trust Fund assets and not otherwise appropriated herein.			
Total State General Fund, Estimated but not less than			57,000,000	57,000,000
2E. DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:				
1.	General Obligation Capital Improvement Bonds, Series B, Estimated			1,078,250
SOURCE OF FUNDS:				
(1)	State General Fund, Estimated	1,078,250		
Total General Obligation Capital Improvement Bonds, Series B, Estimated		1,078,250		1,078,250
2.	General Obligation Coosa Waterway Bonds, Series A and B, Estimated			1,013,700
SOURCE OF FUNDS:				
(1)	State General Fund, Estimated	1,013,700		
Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated		1,013,700		1,013,700
3.	General Obligation Docks Facilities Bonds, Series C, Estimated			1,194,500
SOURCE OF FUNDS:				
(1)	State General Fund, Estimated	1,194,500		
Total General Obligation Docks Facilities Bonds, Series C, Estimated		1,194,500		1,194,500
4.	Music Hall of Fame Bonds, Estimated			354,120
SOURCE OF FUNDS:				
(1)	State General Fund, Estimated	354,120		
	Pursuant to Constitutional Amendment No. 489 as provided in Act 88-549, 1988 Regular Session.			

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		<u>Fund Sources Included In Appropriation Total</u>	
	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Total Music Hall of Fame Bonds, Estimated		354,120	354,120
5.	Tennessee-Tombigbee Waterway Bonds, Series C and D, Estimated.....		2,720,585
SOURCE OF FUNDS:			
(1) State General Fund, Estimated		2,720,585	
Pursuant to Constitutional Amendment No. 270 as provided in Act No. 248, 1967 Regular Session.			
Total Tennessee-Tombigbee Waterway Bonds, Series C and D, Estimated.....		2,720,585	2,720,585
6.	Corrections Institution Bonds, Estimated.....		1,599,500
SOURCE OF FUNDS:			
(1) State General Fund, Estimated		1,599,500	
Pursuant to Constitutional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.			
Total Corrections Institution Bonds, Estimated		1,599,500	1,599,500
7.	General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated.....		58,152,956
SOURCE OF FUNDS:			
(1) State General Fund, Estimated		58,152,956	
Total General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated.....		58,152,956	58,152,956
8.	General Obligation Capital Bonds, 1990 Series, Estimated.....		1,931,850
SOURCE OF FUNDS:			
(1) State General Fund, Estimated		1,931,850	
Pursuant to Constitutional Amendment No. 510 as provided for in Act 89-799, 1989 Regular Session.			
Total General Obligation Capital Bonds, 1990 Series, Estimated.....		1,931,850	1,931,850

SECTION 3. In addition to all other appropriations made in this Act, there is hereby appropriated to the following boards, agencies and commissions the following amounts from the State General Fund to be conditioned on the availability of funds as provided herein. The conditional appropriations herein shall be second priority conditional appropriations and, except for the first priority conditional appropriation made in Subsection 2C-107 of this Act, no other conditional appropriation shall be released until such are fully funded. Any revenue in excess of that needed to fund absolute appropriations from the State General Fund for the fiscal year beginning October 1, 1991 shall be released to fund the first priority conditional. In the event the total amount needed to fully fund the first priority and the second priority conditional appropriations from the State General Fund is not available, then any revenue deposited in the State General Fund in excess of that needed to fund the absolute appropriations and the first priority conditional from the State General Fund for the fiscal year beginning October 1, 1991 shall be prorated among the following listed boards, agencies and commissions.

<u>AGENCY</u>	<u>CONDITIONAL APPROPRIATION</u>
EXAMINERS OF PUBLIC ACCOUNTS	174,395
LAW INSTITUTE, ALABAMA	6,674
LEGISLATIVE FISCAL OFFICE	18,091
LEGISLATIVE REFERENCE SERVICE	23,223
LEGISLATURE	175,983
ACADEMY OF HONOR, ALABAMA	41
ADJUSTMENT, BOARD OF	8,406
AGING, COMMISSION ON	217,630
AGING, COMMISSION ON - MEDICAID WAIVER	457,670
AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION	34,858
ARICULTURAL & INDUSTRIAL EXHIBIT COMMISSION	810
AGRICULTURE CENTER BOARD	8,469
AGRICULTURE & INDUSTRIES, DEPARTMENT OF	141,338
ALABAMA TRUST FUND BOARD	581
ARCHIVES & HISTORY, DEPARTMENT OF	42,811
ATTORNEY GENERAL, OFFICE OF	116,082
AUDITOR, STATE	14,589
BEAR CREEK DEVELOPMENT AUTHORITY	883
BUILDING COMMISSION	14,519
CAHAWBA ADVISORY COMMITTEE	155

CHILD ABUSE & NEGLECT PREVENTION BOARD	6,547
CHOCOLOCOCO CREEK WATERSHED	162
CORRECTIONS, DEPARTMENT OF	5,187,154
CRIMINAL JUSTICE INFORMATION SYSTEM, ALABAMA	48,990
DEVELOPMENT OFFICE, ALABAMA	78,974
DISTRICT ATTORNEYS	254,304
ECONOMIC & COMMUNITY AFFAIRS, DEPARTMENT OF	119,882
EDUCATION, DEPARTMENT OF	33,210
ELK RIVER DEVELOPMENT AGENCY	69
EMERGENCY MANAGEMENT AGENCY	20,810
ENERGY BOARD, SOUTHERN STATES	440
ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF	111,378
ETHICS COMMISSION	6,885
FARMER'S MARKET AUTHORITY	6,926
FINANCE, DEPARTMENT OF	153,302
FINANCE-AIR TRANSPORTATION & SERVICES	20,280
FINANCE-TELEPHONE REVOLVING FUND	29,355
FOREIGN TRADE RELATIONS COMMISSION	1,689
FORENSIC SCIENCES	109,971
FORESTRY COMMISSION	224,485
GEOLOGICAL SURVEY	40,879
GORGAS MEMORIAL BOARD	81
GOVERNOR'S CONTINGENCY FUND	10,841
GOVERNOR'S MANSION ADVISORY BOARD	147
GOVERNOR'S MANSION	3,262
GOVERNOR'S OFFICE	28,328
GOVERNOR'S OFFICE ON VOLUNTEERISM	1,424
HEALTH, DEPARTMENT OF PUBLIC	486,154
HEALTH PLANNING AGENCY	5,423
HIGHWAY DEPARTMENT	1,622
HISTORIC BLAKELEY AUTHORITY	5,106
HISTORIC CHATTAHOOCHEE COMMISSION	2,300
HISTORICAL COMMISSION, ALABAMA	22,160
INDIAN AFFAIRS	3,315
INDUSTRIAL RELATIONS, DEPARTMENT OF	23,065
INSURANCE, DEPARTMENT OF	38,634
LABOR, DEPARTMENT OF	5,514
LIEUTENANT GOVERNOR, OFFICE OF	10,331
LOUISIANA, MISSISSIPPI, ALABAMA RAPID RAIL TRANSIT COMMISSION	20,278

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MEN'S HALL OF FAME	81
MENTAL HEALTH, DEPARTMENT OF	977,906
MILITARY DEPARTMENT	105,754
MOTOR SPORTS HALL OF FAME	2,155
MUSIC HALL OF FAME BOARD	1,950
OIL & GAS BOARD	41,375
PARDONS & PAROLES, BOARD OF	826,382
PERSONNEL DEPARTMENT, STATE	336,276
PROSECUTION SERVICES, OFFICE OF	2,332
PUBLIC SAFETY, DEPARTMENT OF	874,507
REVENUE DEPARTMENT	6,066
SECRETARY OF STATE	15,516
SECURITIES COMMISSION	11,761
SENIOR CITIZENS HALL OF FAME, ALABAMA	367
SOIL & WATER CONSERVATION COMMISSION, STATE	20,958
SOUTHERN GROWTH POLICIES BOARD	469
SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA	3,240
SPORTS HALL OF FAME	8,424
SURFACE MINING COMMISSION	6,075
TANNEHILL FURNACE AND FOUNDRY COMMISSION	5,919
TENN-TOM WATERWAY DEVELOPMENT AUTHORITY	1,636
TVA EXHIBIT COMMISSION	1,146
TOURISM AND TRAVEL, BUREAU OF	21,747
TREASURER, STATE	31,943
UNIFORM STATE LAWS, COMMISSION ON	105
VETERANS' AFFAIRS, DEPARTMENT OF	54,322
WOMEN'S COMMISSION, ALABAMA	203
WOMEN'S HALL OF FAME	88
YOUTH SERVICES, DEPARTMENT OF	75,455
ADVERTISING LANDS FOR TAX	1,944
ARREST OF ABSCONDING FELONS	1,053
ATTORNEYS' FEES/COSTS FOR REAPPORTIONMENT	2,430
AUTOMATIC APPEAL EXPENSE	2
CIVIL COURT COSTS - AD VALOREM TAX APPEAL	3
CONSUMER UTILITY RATE HEARING	4,050
COURT COSTS NOT OTHERWISE PROVIDED FOR	300,000
COURT COSTS - ACT 558, 1957	8

DISTRIBUTION OF PUBLIC DOCUMENTS	1,296
ELECTION EXPENSES	32,400
ELECTION, TRAINING OFFICIALS	1,296
EMERGENCY FUND, DEPARTMENTAL	24,300
FAIR TRIAL TAX TRANSFER	38,881
FEEDING OF PRISONERS	60,751
DEPARTMENT OF FINANCE -	
CAPITOL MOVING	1,620
EMPLOYEES' SUGGESTION	
AWARD PROGRAM	162
GOVERNOR'S CONFERENCE,	
NATIONAL	2,577
GOVERNOR'S COUNCILLOR	421
GOVERNOR'S PROCLAMATION EXPENSES	3,240
GOVERNOR'S WIDOW RETIREMENT	467
LAW ENFORCEMENT FUND	324
LAW ENFORCEMENT LEGAL	
DEFENSE	49
MAILING TAX NOTICES	2
MILITARY- EMERGENCY ACTIVE	
DUTY	3,240
PRESIDENTIAL ELECTORAL EXPENSE	32
PRINTING OF CODE SUPPLEMENTS-	
LEGISLATIVE REFERENCE SERVICE	4,860
PRINTING CODE & SUPPLEMENTS-	
SECRETARY OF STATE	2,673
PRINTING LEGISLATIVE ACTS	
& JOURNALS	8,100
PRINTING STATE & COUNTY	
PRIVILEGE LICENSES	405
REGISTRATION OF VOTERS	25,110
REMOVAL OF PRISONERS	6,237

SECTION 4. In addition to all other appropriations from the State General Fund, there is hereby conditionally appropriated the following amounts to the following agencies for the fiscal year beginning October 1, 1991 to be conditioned on the prior funding of the first priority conditional provided for in Subsection 2C-107 and the second priority conditional appropriations provided for in Section 3 of this Act, the availability of funds in the State General Fund, the recommendation of the State Finance Director and the approval of the Governor.

<u>AGENCY</u>	<u>CONDITIONAL APPROPRIATION</u>
A) DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES - FOR CAPITAL IMPROVEMENTS TO STATE PARKS	\$ 750,000
B) DEPARTMENT OF CORRECTIONS	\$3,400,000
C) DEPARTMENT OF ENVIRONMENTAL MANAGEMENT - FOR WATER POLLUTION CONTROL AUTHORITY	\$4,900,000
D) GEOLOGICAL SURVEY	\$ 125,000
E) DEPARTMENT OF HUMAN RESOURCES	\$2,000,000
F) DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION	\$7,000,000
G) STATE PERSONNEL DEPARTMENT	\$ 150,000
H) DEPARTMENT OF PUBLIC SAFETY	\$3,500,000

SECTION 5. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 7 and 8 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 6. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 7. In addition to appropriations herein made, all gifts, grants, contributions or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are

reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 8. All interest earned from funds paid into Account No. 396 (formerly Account No. 305735) and any other interest earned by the state from Revenue Sharing Investments under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, together with any accruals or reversions thereon are hereby appropriated to the State General Fund.

SECTION 9. All encumbered balances of a previous fiscal year appropriation, other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or earmarked fund from which the appropriation or appropriations were made.

SECTION 10. The appropriations made herein to the departments, boards, offices, commissions and agencies include the amounts necessary and said departments, boards, offices, commissions and agencies are hereby directed to make the transfer of funds to the State Personnel Department in said amounts enumerated in Section 2C, Subsection 103.

SECTION 11. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 12. That all laws and parts of laws, general, special, private or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 13. That each agency of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 14. That this Act shall become effective October 1, 1991.

Senator Horn then offered the following amendment to the substitute for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE FOR HB 204

Amend the substitute for House Bill 204 on page 56 by striking lines 14 through 19 in their entirety.

Which was adopted.

Senator Bailey offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 as substituted on page 87 by striking lines 21 through 38 in their entirety and on page 88 by striking lines 5 through 15 in their entirety and by substituting in lieu thereof the following:

*136. YOUTH SERVICES,
DEPARTMENT OF:

- | | |
|--|-----------|
| (a) Youth Services Program | 4,341,366 |
| Of the above appropriation, at least \$1,380,601 shall be expended for community subsidies and shall be distributed in the following manner: 1) Central Alabama, \$132,759; 2) Coosa Valley, \$201,597; 3) Lee County, \$86,018; 4) Mobile County, \$161,176; 5) Montgomery County, \$113,505; 6) Robert Neaves (Madison County), \$108,964; 7) Southeast Alabama, \$172,620; 8) Tennessee Valley, \$56,752; Tuscaloosa, \$97,500; 9) Baldwin County, \$68,103; 10) Jefferson County, \$181,607. | |

Of the above appropriation, up to \$2,960,765 shall be expended for Probation Officers subsidies.

(b) C.I.T.Y. Program 150,000

It is the intent of the Legislature that the above appropriation for the C.I.T.Y. Program be in addition to all other financial support received from the Department of Youth Services and that said other financial support for fiscal year 1991-92 be not less than the same pro rata share of the Department's total state funding that was received in fiscal year 1990-91. The above appropriations shall be expended in accordance with the provision of Sections 44-1-1 through 44-1-56, Code of Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund	4,341,366	
(2) State General Fund- C.I.T.Y. Program	150,000	
Total Department of Youth Services	4,491,366	4,491,366"

Which was adopted.

Senator Horn offered the following amendment No. 2 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 as last substituted on page 29, line 12 and on page 31, line 12 by striking the figure "15,607,320" and inserting in lieu thereof the figure "15,672,320".

Further amend on page 31, line 9 by striking the figure "14,922,161" and inserting in lieu thereof the figure "14,987,161".

Further amend on page 35, line 20 by striking the figure "4,945,939" and inserting in lieu thereof the figure "4,880,939".

Further amend on page 35, lines 24 and 26 by striking the figure "9,125,141" and inserting in lieu thereof the figure "9,060,141".

Further amend on page 35, line 26 by striking the figure "9,297,334" and inserting in lieu thereof the figure "9,232,334".

Which was adopted.

Senator Ellis offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on page 83, lines 32 and 34 by deleting the figure "352,348" and inserting in lieu thereof the figure "377,420".

Further amend on page 97 by deleting lines 5-13 in their entirety and renumbering all subsequent sections accordingly.

Further amend on page 83 after line 30 by adding the following:

"(b) Briarfield Ironworks Park..... 25,072".

Which was adopted.

Senator Mitchell offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on page 20 by deleting lines 20 and 21 in their entirety and inserting in lieu thereof the following:

"or a Watershed Management
Authority created pursuant to House
Bill 330 enacted in the 1991 Regular
Legislative Session:".

Further amend the substitute, as amended, on page 20 by deleting lines 26 and 27 in their entirety and inserting in lieu thereof the following:

"Conservancy or a Watershed Manage-
ment Authority created pursuant to
House Bill 330 enacted in the 1991
Regular Session Session 50,000 50,000".

Which was adopted.

Senator Little offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 on page 85 Line 11 after the word "Commission" by adding the following new language:

"and \$25,000 for the Salem-Shotwell Covered Bridge of Lee County, Alabama to be administered and expended by the Auburn-Opelika Convention and Visitors Bureau".

Which was adopted.

Senator Mitchem offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204, on Page 6, Line 31, as follows:

By striking the figure 68,306,417 and inserting in lieu thereof, the figure 69,479,632.

Further amend the substitute, as amended, for House Bill 204, on Page 7, line 6, by striking the figure 70,018,144 and inserting in lieu thereof, the figure 71,191,359.

Further amend the substitute, as amended, for House Bill 204, on page 7, line 18, by striking the figures 73,884,422 and 74,484,430 and inserting respectively the figures 75,057,637 and 75,657,645.

Further amend the substitute, as amended, for House Bill 204 to provide the following priority conditional appropriations on page 108, after line 14, as follows:

Court of Civil Appeals, 25,623; Court of Criminal Appeals, 42,198; Judicial Inquiry Commission, 2,296; Alabama Supreme Court, 133,924; Supreme Court Marshall/Library, 17,407; Unified Judicial System, 1,339,779.

Which was adopted.

Senator Wilson offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 Page 86, as follows:

On line 10 delete the figure 3,233,461 and insert in lieu thereof the figure 3,403,149

Further amend on Line 14 by deleting the figure 3,233,461 and inserting in lieu thereof the figure 3,403,149

Further amend on line 14 by deleting the figure 4,599,059 and inserting in lieu thereof the figure 4,768,747.

On motion of Senator Barron, said amendment was laid on the table.

Senator Lindsey offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 page 5, after line 8 by adding the following:

(b) Legislative Computer Center

Appropriation
Total
<hr/>
\$ 1,500,000

These funds shall be expended by the Secretary of the Senate and the Clerk of the House of Representatives for facilities and data processing equipment to upgrade the Legislative Computer Center.

ALSO: Amend the substitute, as amended, on page 5, line 10 by changing the figure "10,475,191" to "11,975,191".

ALSO: Amend the substitute, as amended, on page 5, line 11, by changing the figures "10,475,191" to "11,975,191".

Senator Barron moved that said amendment be laid on the table, which motion was lost.

Yeas 4 Nays 19

Yeas:

Senators:

Barron, Bedsole, deGraffenried, and Langford

- 4

Nays:

Senators:

Bailey, Bolling, Campbell, Corbett, Ellis, Figures, Foshee, Ghee, Hale,

Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Smith (J),
Wilson, and Windom -19

And said amendment was then adopted.

Senator Bedsole offered the following amendment to the substitute,
as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 by deleting
on pages 71 through 80, subsection 114 in its entirety and inserting in
lieu thereof the following:

"114. REVENUE, DEPARTMENT OF:

(a) State Revenue Administration Program		66,223,804
(b) Capital Outlay Program		331,820
SOURCE OF FUNDS:		
(1) State General Fund- Transfer	250,000	
As provided in Section 40-7-70, Code of Ala- bama 1975, to maintain a program for the equalization of ad valorem tax assess- ments.		
(2) State General Fund-Board of Equalization	111,074	
(3) Transfer from the gross proceeds of Cigarette Tax Collections.....		1,198,268
As provided in Section 40-25-27, Code of Ala- bama 1975.		
(4) Transfer from the gross proceeds of Financial Institution Excise Tax Collections		310,551
(5) Transfer from the proceeds of the Forest Severance Tax Collections		114,378
(6) Transfer from the gross proceeds of Gasoline Tax Collections		5,437,459
(7) Transfer from the Income Tax Collections.....		18,453,649
(8) Transfer from the gross proceeds of Motor Fuel Tax Collections.....		1,133,254

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(9)	Transfer from the gross proceeds of Motor Vehicle License Collections	2,457,195
(10)	Transfer from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax	751,882
(11)	Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax	1,852,440
(12)	Transfer from the gross proceeds of Sales Tax Collections	16,279,735
(13)	Transfer from the gross proceeds of the Tobacco Tax Collections.....	49,042
(14)	Transfer from the gross proceeds of Use Tax Collections	1,781,620
(15)	Transfer from the gross proceeds of the Utility Tax Collections.....	3,955,528
(16)	Local Funds	6,900,000
(17)	Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags.....	2,365,083
(18)	Inspection fees for restored vehicles	1,323,863
	As provided in Section 32-8-87, <u>Code of Alabama 1975</u> .	
(19)	Revenue Administration Fund-Transfer from Abandoned Property Trust Fund as provided in Section 35-12-39, <u>Code of Alabama 1975</u>	103,603
(20)	Revenue Administration Fund-Transfer from the gross proceeds of the Pharmaceutical Service Privilege tax Collections . As provided by Act 91-124.	30,000
(21)	Revenue Administration Fund-Transfer from the gross proceeds of the Nursing Facility Privilege Tax Collections.....	209,000
	As provided by Act 91-126.	
(22)	Revenue Administration	

Fund-Transfer from the
gross proceeds of the
Disproportionate Share
Hospital Privilege Tax
Collections

1,488,00

As provided by Act 91-
127. The amounts here-
inabove appropriated
for the cost of main-
tenance and operations
of the Department of
Revenue are in lieu of
any other statutory
provisions for the pay-
ment of the cost of
operating said De-
partment or collections
of the taxes as
authorized by law.
Provided, however, in
addition to the amount
hereinabove appropri-
ated, there is hereby
appropriated to the
Department of Revenue
all sums allowed the
Department of Revenue
by local Acts of the
Legislature as a charge
for the collection of
taxes or licenses, and a
sum from the collections
of privilege taxes levied
by Act 91-124, Act 91-
126 and Act 91-127, so
that the amount appro-
priated from those col-
lections, including the
amounts in paragraphs
(20), (21), and (22)
above, shall be 1% of
the amounts collected
from such taxes.

Total Department of
Revenue.....

361,074

66,194,550

66,555,624"

Which was adopted.

Senator Little offered the following amendment No. 2 to the
substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 on page 107 line

11 by deleting the figure "54,322" and inserting in lieu thereof the figure "354,322".

Which was adopted.

Senator Bailey offered the following amendment No. 2 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 on page 9 line 19 by striking the figure "16,526,841" and inserting in lieu thereof the figure "16,426,841".

Further amend on page 9 line 20 by striking the figure "12,053,405" and inserting in lieu thereof the figure "12,153,405".

Further amend on page 9 line 22 by striking the figure "1,528,669" and inserting in lieu thereof the figure "1,428,669".

Further amend on page 9 line 24 by striking the figure "2,872,760" and inserting in lieu thereof the figure "2,972,760".

Which was adopted.

Senator Lindsey offered the following amendment No. 2 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on page 108 after line 14 by adding the following new language:

"2ND INJURY TRUST FUND

500,000"

Which was adopted.

Senator Ellis offered the following amendment No. 2 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 50, line 6, by deleting the amount "360,797,179" and adding in lieu

thereof the amount "355,797,179".

Further amend the substitute, as amended, for House Bill 204 on Page 50, line 26, and on Page 51, line 10, by deleting the amount "40,141,115" each time it appears and adding in lieu thereof the amount "35,141,115".

Further amend the substitute, as amended, for House Bill 204 on Page 51, line 10, by deleting the amount "362,241,379" and adding in lieu thereof the amount "357,241,379".

Further amend the substitute, as amended, for House Bill 204 on Page 24, line 17, by deleting the amount "133,020,062" and adding in lieu thereof the amount "138,020,062".

Further amend the substitute, as amended, for House Bill 204 on Page 24, line 29, and on Page 26, line 22, by deleting the amount "134,409,377" each time it appears and adding in lieu thereof the amount "139,409,377".

Further amend the substitute, as amended, for House Bill 204 on Page 26, line 22, by deleting the amount "159,917,286" and adding in lieu thereof the amount "164,917,286".

Which was adopted.

Senator Hale offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 by deleting Section 2B, Sub-section 7 on pages 6 and 7 and inserting the following new Section 2B, Sub-section 7:

"7. UNIFIED JUDICIAL SYSTEM:
(Administrative Office of
Courts)

(a) Court Operations Program	70,479,632
Of the above appropriation, \$409,000 shall be expended for the Judicial Assistant Program.	
(b) Administrative Services Program.....	4,003,782
(c) Mandatory Drug Treatment Program.....	600,008

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(d) DUI Referral Program	74,223		
(e) Fringe Benefit Program, Estimated	380,000		
(f) Court Equipment and Court Security Program	1,120,000		
SOURCE OF FUNDS:			
(1) State General Fund	72,191,359		
(2) State General Fund-Act 90-111, Judicial Com- pensation Report	3,237,517		
(3) State General Fund-Act 90-474	228,761		
(4) State General Fund- Social Security-County Judicial, Estimated	380,000		
(5) State General Fund Transfer-Juvenile Justice Coordinating Council, in accordance with Act 90-764	20,000		
(6) Federal and Local Funds	600,008		
Total Unified Judicial System	76,057,637	600,008	76,657,645".

Further amend on page 24, line 29 and page 26, line 22 by deleting the figure "134,409,377" and inserting in lieu thereof the figure "133,409,377".

Further amend on page 24, line 17 by deleting the figure "133,020,062" and inserting in lieu thereof the figure "132,020,062".

Further amend on page 26, line 22 by deleting the figure "159,917,286" and inserting in lieu thereof the figure "158,917,286".

Which was adopted.

Senator Corbett offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on page 52, lines 6, 12 and 14 by deleting the figure "197,332" and inserting in lieu thereof the figure "202,332".

Further amend on page 16, lines 26 and 29 by deleting the figure "2,958,252" and inserting in lieu thereof the figure "2,953,252".

Further amend on page 16, lines 24 and 29 by deleting the figure

"3,086,068" and inserting in lieu thereof the figure "3,081,068".

Which was adopted.

Senator Bedsole offered the following amendment No. 2 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 70, by deleting lines 31 through 36 in their entirety and on Page 71, by deleting lines 5 through 7 in their entirety and adding in lieu thereof the following:

"The above appropriation from the State General Fund shall be repaid to the State General Fund on or before September 30, 1992."

Which was adopted.

Senator Owens offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on page 16, line 31, by deleting the number "8,326,002" and inserting in lieu thereof the number "7,326,002".

Further amend the substitute, as amended, for House Bill 204 on Page 16, line 35, by deleting the number "6,192,986" and inserting in lieu thereof the number "4,692,986".

Further amend the substitute, as amended, for House Bill 204 on Page 17, line 10, by deleting the number "1,000,000" and inserting in lieu thereof the number "1,500,000".

Further amend the substitute, as amended, for House Bill 204 on Page 17, line 12, by deleting the numbers "6,909,628" "2,144,387" and "9,056,015" and inserting in lieu thereof respectively the numbers "5,409,628" "2,644,387" and "8,054,015".

On motion of Senator Horn, said amendment was laid on the table.

Yeas 15 Nays 8

Yeas:

Senators:

Bennett, Campbell, Corbett, deGraffenried, Denton, Figures, Foshee, Horn, Lindsey, Little, Mitchell, Parsons, Preuitt, Smith (B), and Wilson
-15

Nays:

Senators:

Bedsole, Bolling, Ellis, Floyd, Lipscomb, Owens, Smith (J), and Waggoner
- 8

Senator Lipscomb offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 67, line 35, by deleting the number "10,199,903" and inserting in lieu thereof the number "10,899,903".

Further amend the substitute, as amended, for House Bill 204 on Page 68, line 9, by deleting the number "2,800,000" and inserting in lieu thereof the number "3,500,000".

Further amend the substitute, as amended, for House Bill 204 on Page 68, line 9, after the word "Fund" by inserting the following language "In accordance with HB 556 as Passed during the 1991 Regular Session if the Alabama Legislature."

Further amend the substitute, as amended, for House Bill 204 on Page 68, line 11, by deleting the numbers "6,708,557" and "58,762,562" and inserting in lieu thereof the numbers "7,408,557" and "59,462,562" respectively.

On motion of Senator Horn, said amendment was laid on the table.

Senator Bedsole offered the following amendment No. 3 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 36, line 8 after the word "Program" by adding the following:

", estimated".

Further amend the substitute, as amended, for House Bill 204 on Page 36, line 17 after the word "Program" by adding the following: ", estimated".

Further amend the substitute, as amended, for House Bill 204 on Page 36 by deleting lines 22 through 34 in their entirety.

Further amend the substitute, as amended, for House Bill 204 on Page 37, line 23 after the word "Program" by adding the following: ", estimated".

Further amend the substitute, as amended, for House Bill 204 on Page 37, line 30 after the word "Program" by adding the following: ", estimated".

Further amend the substitute, as amended, for House Bill 204 on page 38, line 8 after the word "Program" by adding the following: ", estimated".

On motion of Senator Horn, said amendment was laid on the table.

Senator Wilson offered the following amendment No. 2 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 Page 86 & 31, as follows:

On line 10 delete the figure 3,233,461 and insert in lieu thereof the figure 3,403,149

Further amend on Line 14 by deleting the figure 3,233,461 and inserting in lieu thereof the figure 3,403,149

Further amend on Line 14 by deleting the figure 4,599,059 and inserting in lieu thereof the figure 4,768,747.

Further amend on Line 16 page 31 by deleting the figure 8,021,224 and inserting in lieu thereof the figure "7,851,536"

Further amend on page 86, Line 7 by striking the figure

"4,579,059" and insert in lieu thereof the figure "4,748,749";

Further amend on page 32 Lines 7 & 18 by striking the figure "7,420,820" and by substituting in lieu thereof the figure "7,251,132";

Further amend on page 32, line 18 by striking the figure "152,925,941" and by substituting

Senator Horn moved that said amendment be laid on the table, which resulted in a tie vote.

Yeas 11 Nays 11

Yeas:

Senators:

Bailey, deGraffenried, Denton, Figures, Foshee, Horn, Langford, Owens, Preuit, Smith (B), and Waggoner
-11

Nays:

Senators:

Amari, Bolling, Campbell, Corbett, Floyd, Ghee, Hale, Little, Parsons, Wilson, and Windom
-11

The President and Presiding Officer of the Senate voted "Aye", therefore the amendment was tabled.

On motion of Senator Hale the Senate reconsidered the vote by which the Hale amendment No. 1 was adopted.

On motion of Senator Hale, said amendment was laid on the table.

Senator Hale then offered the following amendment No. 2 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 by deleting Section 2B, Sub-section 7 on pages 6 and 7 and inserting the following new Section 2B, Sub-section 7:

"7. UNIFIED JUDICIAL SYSTEM:

(Administrative Office of
Courts)

- (a) Court Operations Program....
Of the above appropriation,
\$409,000 shall be expended

70,479,632

for the Judicial Assistant Program.			
(b) Administrative Services Program.....		4,003,782	
(c) Mandatory Drug Treatment Program.....		600,008	
(d) DUI Referral Program.....		74,223	
(e) Fringe Benefit Program, Estimated		380,000	
(f) Court Equipment and Court Security Program		1,120,000	
SOURCE OF FUNDS:			
(1) State General Fund.....	72,191,359		
(2) State General Fund-Act 90-111, Judicial Compensation Report.....	3,237,517		
(3) State General Fund-Act 90-474	228,761		
(4) State General Fund-Social Security-County Judicial, Estimated	380,000		
(5) State General Fund Transfer-Juvenile Justice Coordinating Council, in accordance with Act 90-764	20,000		
(6) Federal and Local Funds		600,008	
Total Unified Judicial System.....	76,057,637	600,008	76,657,645".

Further amend on page 24, line 29 and page 26, line 22 by deleting the figure "139,409,377" and inserting in lieu thereof the figure "138,409,377".

Further amend on page 24, line 17 by deleting the figure "138,020,062" and inserting in lieu thereof the figure "137,020,062".

Further amend on page 26, line 22 by deleting the figure "164,917,286" and inserting in lieu thereof the figure "163,917,286".

Which was adopted.

Senator Waggoner offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 110, by deleting lines 5 through 9 in their entirety and inserting in lieu thereof the following Section:

"Section 8. All interest earned from funds paid into Account No. 396 (formerly Account No. 305735) by Act 87-761, Act 88-947 and Act 89-79 are hereby appropriated to the Governor's Contingency Fund to be spent at the discretion of the Governor. Any other interest earned by the state from Revenue Sharing Investments under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, together with any accruals or reversions thereon are hereby appropriated to the State General Fund."

Senator Horn moved that said amendment be laid on the table, which motion was lost.

Yeas 10 Nays 14

Yeas:

Senators:

Campbell, Corbett, Denton, Floyd, Foshee, Horn, Langford, Lindsey, Sanders, and Wilson -10

Nays:

Senators:

Amari, Bailey, Bolling, Ellis, Hale, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (J), Waggoner, and Windom -14

And said amendment was then adopted.

Yeas 15 Nays 12

Yeas:

Senators:

Bailey, Bedsole, Bolling, Dixon, Ellis, Hale, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Smith (J), and Waggoner -15

Nays:

Senators:

Barron, Campbell, Corbett, Figures, Foshee, Ghee, Hilliard, Horn, Lindsey, Sanders, Wilson, and Windom -12

Senator Little offered the following amendment No. 3 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 on page 104 Line 32 by deleting the figure "8,469" and inserting in lieu thereof the figure "108,469".

Further amend on page 104 after Line 32 by adding the following new language;

"of the above conditional appropriation, \$100,000 shall be expended on state 4-H Centers.

Which was adopted.

Senator Amari offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 Page 105 after line 15 by inserting the following:

Economics & Community Affairs, Department for Economic Development Revolving Loan Funds (as per Act #90-650)	500,000
---	---------

Which was adopted.

Senator Amari then offered the following amendment No. 2 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 59, line 16, by deleting the number "6,400,380" and inserting in lieu thereof the number "6,500,380".

Further amend the substitute, as amended, for House Bill 204 on Page 59, line 22, by deleting the number "46,600" and inserting in lieu thereof the number "146,600".

Further amend the substitute, as amended, for House Bill 204 on Page 60, line 9, by deleting the number "6,400,380" each time it appears and inserting in lieu thereof the number "6,500,380".

Which was adopted.

Senator Amari then offered the following amendment No. 3 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 on Page 35, by

deleting lines 19 through 26 in their entirety and inserting in lieu thereof the following:

"48. FINANCE, DEPARTMENT OF:

(a) Fiscal Management Program.....		5,397,118	
(b) Administrative Support Services Program.....		4,713,160	
(c) Capital Outlay Program	100,000		
SOURCE OF FUNDS:			
(1) State General Fund.....	9,938,085		
(2) State General Fund-Capital Outlay	100,000		
(3) Miscellaneous Funds		172,193	
Total Department of Finance.....	10,038,085	172,193	10,210,278"

On motion of Senator Horn, said amendment was laid on the table.

Senator Windom offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

On page 24, line 29 delete the figure 138,409,377 and insert in its place 133,409,377;

Further amend on page 50, line 26 delete the figure 35,141,115 and insert in its place 40,141,115.

Further amend on page 24, line 17 by deleting the figure "137,020,062" and inserting in lieu thereof the figure "132,020,062".

Further amend on page 26, line 22 by deleting the figures "138,409,377" and "163,917,286" and inserting in lieu thereof the figures "133,409,377" and "158,917,286" respectively.

Further amend on page 50, line 6 by deleting the figure "355,797,179" and inserting in lieu thereof the figure "360,797,179".

Further amend on page 51, line 10 by deleting the figures "35,141,115" and "357,241,379" and inserting in lieu thereof the figures "40,141,115" and "362,241,379".

Senator Ellis moved that said amendment be laid on the table, which motion was lost.

Yeas 10 Nays 15

Yeas:

Senators:

Amari, Barron, Bedsole, Bennett, Dixon, Ellis, Hale, Lipscomb,
Owens, and Preuitt -10

Nays:

Senators:

Bailey, Bolling, Campbell, Corbett, Figures, Floyd, Foshee, Horn,
Langford, Lindsey, Little, Sanders, Waggoner, Wilson, and Windom -15

And said amendment was then adopted.

Yeas 20 Nays 8

Yeas:

Senators:

Bailey, Barron, Bennett, Bolling, Campbell, Corbett, Figures, Floyd,
Foshee, Ghee, Hilliard, Horn, Langford, Lindsey, Little, Mitchell,
Mitchem, Sanders, Wilson, and Windom -20

Nays:

Senators:

Amari, Bedsole, Ellis, Hale, Lipscomb, Owens, Preuitt, and
Smith (B) - 8Senator Preuitt offered the following amendment to the substitute,
as amended, for the Bill, HB 204, to-wit:**AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204**Amend the substitute, as amended, for HB 204 on page 30 Line
24 by deleting the figure "289,843" and inserting in lieu thereof the
figure "329,843.Further amend on page 29 on Line 12 by deleting the figure
"15,672,320" and inserting in lieu thereof the figure "15,712,320".Further amend on page 31 Lines 9 and 12 by deleting the figures
"14,987,161" and "15,672,320" and insisting in lieu thereof the figures
"15,027,161" and "15,712, 320" respectively.Further amend on page 30 Line 21 by deleting the figure
"249,764" and inserting in lieu thereof the figure "314,764".

Which was adopted.

Senator Dixon offered the following amendment to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 35, line 13, by deleting the amount "505,541" and adding in lieu thereof the amount "195,541".

Further amend the substitute, as amended, for House Bill 204 on Page 35, line 16, by deleting the amount "412,238" and adding in lieu thereof the amount "102,238".

Further amend the substitute, as amended, for House Bill 204 on Page 35, line 18, by deleting the amounts "412,238" and "848,849" and adding in lieu thereof the amounts "102,238" and "538,849" respectively.

Which was lost.

Senator Dixon offered the following amendment No 2. to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 19, line 8 by deleting the figure "5,278,127" and inserting in lieu thereof the figure "5,878,127".

Further amend the substitute, as amended, for House Bill 204 on Page 19, after line 11 by adding the following:

"(2) State General Fund..... 600,000"

Further amend the substitute, as amended, for House Bill 204 on Page 19, by deleting lines 12 through 13 in their entirety and adding the following:

"Total Alabama Building Renova-
tion Finance Authority 600,000 6,178,127 6,778,127"

On motion of Senator Horn, said amendment was laid on the table.

Senator Bedsole offered the following amendment No. 4 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for House Bill 204 on Page 36, line 8 after the word "Program" by adding the following: ", estimated".

Further amend the substitute, as amended, for House Bill 204 on Page 36, line 17 after the word "Program" by adding the following: ", estimated".

Further amend the substitute, as amended, for House Bill 204 on Page 36 by deleting lines 22 through 34 in their entirety.

Further amend the substitute, as amended, for House Bill 204 on Page 37, line 23 after the word "Program" by adding the following: ", estimated".

Further amend the substitute, as amended, for House Bill 204 on Page 37, line 30 after the word "Program" by adding the following: ", estimated".

On motion of Senator Horn, said amendment was laid on the table.

Senator Horn then offered the following amendment No. 3 to the substitute, as amended, for the Bill, HB 204, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR HB 204

Amend the substitute, as amended, for HB 204 by deleting pages 93 and 100 in their entirety and by inserting the following new pages 93 and 100 respectively.

	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
11. ELECTION EXPENSES:			
(a) Special Services Program, Estimated			1,378,600
(b) Secretary of State-Training of Election Officials, Estimated			927,144
For payment of expenses pursuant to the court order entered by the U.S. District Court, Middle District of Alabama in Civil Action No.			

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	<u>General Fund</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
84-T-595-N. SOURCE OF FUNDS:			
(1) State General Fund	2,305,744		
As provided in Section 17-4-153, <u>Code of Alabama</u> <u>1975.</u>			
Total Election Expenses	<u>2,305,744</u>		<u>2,305,744</u>
 12. EMERGENCY FUND, DEPARTMENTAL:			
(a) Special Services Program			1,446,450
Total Printing Codes and Supplements - Secretary of State	<u>159,110</u>		<u>159,110</u>
 29. PRINTING OF LEGISLATIVE ACTS AND JOURNALS:			
(a) Administrative Support Services Program, Estimated			482,150
SOURCE OF FUNDS:			
(1) State General Fund	482,150		
As provided in Sections 41-4-130 through 41-4-161, <u>Code of Alabama 1975.</u>			
Total Printing of Legislative Acts and Journals	<u>482,150</u>		<u>482,150</u>
 30. PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES:			
(a) State Revenue Administra- tion Program, Estimated			24,108
SOURCE OF FUNDS:			
(1) State General Fund	<u>24,108</u>		
Total Printing of State and County Privilege Licenses	<u>24,108</u>		<u>24,108</u>
 31. REGISTRATION OF VOTERS:			
(a) Special Services Program, Estimated			1,194,665
SOURCE OF FUNDS:			
(1) State General Fund	1,194,665		
In accordance with Sections 17-4-126 and 17-4-153, <u>Code</u> <u>of Alabama 1975.</u>			
Total Registration of Voters	<u>1,194,665</u>		<u>1,494,665</u>

Which was adopted.

And said substitute, as amended, was then adopted.

Yeas 30 Nays 1

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Windom -30

Nay: Senator Wilson

- 1

And said Bill, HB 204, as amended by the substitute, as amended, was read a third time at length and passed.

Yeas 29 Nays 3

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Windom -29

Nays:

Senators:

Amari, Parsons, and Wilson

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REPORTS OF COMMITTEES

Senator Campbell, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Wilson (With Notice and Proof):

S. 700. To alter, rearrange and extend the boundary lines of the City of Sumiton in Walker County, Alabama.

By Senator Smith (J) (With Notice and Proof):

S. 731. Relating to Limestone County; providing that there shall be only one landfill in the county.

By Rep. Clay (With Notice and Proof):

H. 934. Relating to Macon County; authorizing the Macon County board of education to increase the ceiling for the superintendent of education and to set the salary of the superintendent of education; and providing for the board of education to increase or set expense allowances, any other compensation and/or supplement as provided by law.

By Reps. Burke, Lindsey, and McDaniel (With Notice and Proof):

H. 961. Relating to DeKalb County; providing that the county commission or other like governing body of such county shall have the power to levy and collect additional privilege license taxes, gasoline taxes, sales and use taxes and other taxes and/or fees; providing that any such tax levied by said governing body shall become law either with or without a referendum in the sole discretion of said governing body; providing for the disposition of the proceeds of such taxes; and repealing conflicting laws.

By Reps. Hogan and Cagle (With Notice and Proof):

H. 1018. Relating to Walker County and the 14th Judicial Circuit, to levy certain additional costs and charges of court, to provide said costs and charges shall be placed in a special hazardous duty pay fund, to provide hazardous duty pay for certain deputy sheriffs and jailers, to authorize the county commission to increase the amount of hazardous duty payments, and to provide for implementation of this act.

By Reps. Hogan and Cagle (With Notice and Proof):

H. 1019. Relating to supernumerary district attorneys of the fourteenth (14th) judicial circuit; to provide a salary supplement equal to the salary supplement paid to supernumerary district attorneys of the tenth (10th) judicial circuit.

By Reps. Hogan and Cagle (With Notice and Proof):

H. 1025. Relating to Walker County; to require the installation and maintenance of an improved system of indexing, recording and re-creation of documents and plat system title to property and other documents recorded in the office of the judge of probate; to provide the collection and disposition of a special indexing and recording fee; to provide for the collection of additional probate court cost fees; and to provide that said system shall constitute official and permanent records in

Walker County.

By Rep. Hill (With Notice and Proof):

H. 1029. Relating to the Eighteenth Judicial Circuit of Alabama; to amend Act No. 79-523, H. 426, 1979 Regular Session, so as to provide an increase in expense allowance for each official reporter within the said judicial circuit.

By Rep. Hill (With Notice and Proof):

H. 1030. Relating to Shelby County, amending Section 1 of Act No. 191, H. 525, 1971 Regular Session, which provides a special expense allowance of \$2,400.00 per annum for the presiding circuit judge of the Eighteenth Judicial Circuit above that of the other Circuit Judges, said allowance also being outside the current \$15,000.00 expense allowance for each Circuit Judge, so as to provide that such \$2,400.00 may be received by the presiding judge's confidential employee at his designation.

By Reps. Knight and Smith (C) (With Notice and Proof):

H. 1033. Relating to Bibb County; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing those procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

By Reps. Knight and Smith (C) (With Notice and Proof):

H. 1034. Relating to Bibb County; authorizing the levy in such county of an additional tax, paralleling the state sales tax provided for in article 1 of chapter 23 of Title 40 of the Code of Alabama 1975, as amended; providing for certain exemptions; providing for the collection of such tax by the state department of revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing for an effective date.

By Rep. Clark (J) (With Notice and Proof):

H. 1041. To authorize the city council of the City of Eufaula, Alabama, acting pursuant to Amendment No. 373 to the Constitution of

Alabama of 1901, to increase the rate at which there is levied and collected by the City of Eufaula, on all taxable property situated within the City of Eufaula, the special ad valorem tax for public school purposes which is authorized in Amendment No. 56 to the constitution, to a maximum rate, for any tax year of the city, which is equal to \$1.30 on each one hundred dollars (13 mills on each dollar) of assessed value.

By Reps. Smith (C) and Knight (With Notice and Proof):

H. 1031. Relating to Bibb County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Bibb County; prohibiting the performance of certain work on private property and providing civil fines for violations; and providing for this bill to become effective on October 1, 1991.

By Reps. Smith (C) and Powell (With Notice and Proof):

H. 1042. Relating to Chilton County; authorizing the county coroner to appoint deputies.

By Reps. Smith (C) and Powell (With Notice and Proof):

H. 1043. Relating to Chilton County; providing certain additional compensation for the poll workers to be paid from the county general fund.

By Reps. Smith (C) and Powell (With Notice and Proof):

H. 1044. Relating to Chilton County, to provide for an additional expense allowance for the tax collector.

By Rep. Holladay (With Notice and Proof):

H. 1045. To alter, rearrange and extend the boundaries and corporate limits of the municipality of Riverside, St. Clair County, Alabama, so as to annex certain territory to the municipality.

By Rep. Holladay (With Notice and Proof):

H. 1046. To alter, rearrange and extend the boundaries and

corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

By Rep. Poole (With Notice and Proof):

H. 1050. Relating to the City of Tuscaloosa in Tuscaloosa County; to amend Section 11 of Act No. 249, S. 291, 1947 Regular Session (Acts 1947, p. 174), so as to provide further for the civil service system governing the appointment of certain employees of the city.

By Rep. Poole (With Notice and Proof):

H. 1051. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa; further amending Sections 4, 8 and 9 of Act No. 328, H. 854, 1959 Regular Session (Acts 1959, p. 907) as last amended, which provide for the composition of the Board of Trustees and the conduct of its business, so as to provide further for the membership of such board.

By Rep. Hogan (With Notice and Proof):

H. 1052. Relating to Walker County; providing further for the compensation of the members of the board of registrars.

By Rep. Lindsey (With Notice and Proof):

H. 1053. To authorize the Cleburne County commission to adopt, amend and provide for the enforcement of certain building codes which shall apply in certain areas in said county; to prescribe the manner of adopting such codes; to authorize said commission to enforce such codes; to authorize the prescription and collection of certain fees necessary to effect the enforcement of such codes; and to prescribe penalties for violation of such codes.

By Rep. Lindsey (With Notice and Proof):

H. 1054. Relating to Cherokee County, to alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

By Rep. Drake (With Notice and Proof):

H. 1056. Relating to Cullman County; to amend Section 1 of Act No. 1247, H. 1642, Regular Session 1971 (Acts 1971, p. 2147), relating to the issuance of pistol permits so as to increase the fee therefor.

By Rep. Morrow (With Notice and Proof):

H. 1057. Pertaining to Franklin County only; to permit a referendum of the voters regarding a temporary one cent sales tax for the benefit of the public schools so as to continue to ensure students with an uninterrupted quality instructional program, and to avoid further damage to public education due to proration; also, to set an ending date of temporary sales tax, division of proceeds, reinstatement of personnel; to void this proposed sales tax if state revenues become available; and to provide for and establish a date for a referendum.

By Rep. Willis (With Notice and Proof):

H. 1059. Relating to Calhoun County; on and after the effective date of this act, subject to his or her having made a timely election, in writing, each commissioner of the Calhoun County commission shall be entitled to either have an automobile furnished by Calhoun County, and payment or reimbursement for fuel and oil, and repairs of said automobile, for use in carrying out his official duties as a commissioner, or a certain expense allowance in lieu of use of an automobile and payment or reimbursement for fuel, oil and repairs therefor.

By Rep. Willis (With Notice and Proof):

H. 1060. Relating to Calhoun County; to provide for the salaries of certain officials and the sheriff of the county to become effective upon the expiration of the present terms of office of the incumbent officeholders, and to provide an expense allowance for certain officials which will terminate upon the expiration of their present terms of office.

By Reps. McMillan and Penry (With Notice and Proof):

H. 1061. Repealing Act No. 83-545, H. 132 of the 1983 Regular Session (Acts 1983, p. 844) entitled "To authorize the Baldwin County Commission to provide for the protection of forests from fire, insect, disease, beavers, and other pests within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments."

By Reps. Haynes and Johnson (With Notice and Proof):

H. 1062. Relating to Talladega County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the

county commission to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, bridges and ferries of Talladega County; providing for an effective date.

By Reps. Haynes and Johnson (With Notice and Proof):

H. 1063. To authorize the city council of the City of Talladega, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Talladega, on all taxable property situated within the City of Talladega, the special ad valorem tax which is authorized in Amendment No. 13 to the Constitution, to a maximum rate, for any tax year of the city, which is equal to \$2.20 on each one hundred dollars (22 mills on each dollar) of assessed value.

By Reps. Knight and Hill (With Notice and Proof):

H. 1064. To provide that the Shelby County Commission may provide office space for a Constituency Office to assist the members of the Shelby County Delegation to the Legislature in serving their constituents.

By Rep. Newton (C) (With Notice and Proof):

H. 1066. Relating to Crenshaw County, amending Act No. 89-486, H. 865, 1989 Regular Session, which levied a sales and use tax, so as to provide further for the distribution of the proceeds from the tax.

By Rep. Harvey (With Notice and Proof):

H. 1067. Relating to Blount County; providing that the county commission shall have the power to levy and collect additional privilege license taxes, excise taxes, gasoline taxes and sales and use taxes; providing that any such tax levied by said county commission shall become law either with or without a referendum in the sole discretion of said county commission; and providing for the disposition of the proceeds of such taxes.

By Reps. Hill and Knight (With Notice and Proof):

H. 1068. To alter, rearrange and extend the boundary lines and

corporate limits of the municipality of Wilsonville, in Shelby County, to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Wilsonville.

By Reps. Hill and Knight (With Notice and Proof):

H. 1069. Relating to Shelby County; providing further for the compensation of the circuit clerk of the county.

By Rep. Hill (With Notice and Proof):

H. 1071. Relating to Shelby County, Alabama; to provide for the creation, maintenance and regulation of public corporations for the purpose of forming units for preventing and fighting fires and providing emergency services to sustain life, health and property, and to prescribe conditions and regulations relative to the creation of such public corporations; to prescribe the organizational structure, rights and powers of such public corporations; to prescribe certain limitations on the rights and powers of such public corporations and to provide for elections on questions of formation, indebtedness and financial support of such corporations.

By Reps. Knight and Hill (With Notice and Proof):

H. 1072. Relating to the City of Alabaster in Shelby County; authorizing an additional ad valorem tax and providing for a referendum.

By Reps. Hill and Knight (With Notice and Proof):

H. 1073. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Calera in Shelby County.

By Reps. Hill and Knight (With Notice and Proof):

H. 1074. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

By Reps. Hill and Knight (With Notice and Proof):

H. 1075. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to

be annexed to said city.

By Reps. Turnham and Higginbotham (With Notice and Proof):

H. 1078. Relating to Lee County; to authorize the county commission to levy a tax on each ton or cubic yard of rock or other substance quarried in the county; to provide that the proceed shall be expended on the repair or maintenance of roads and bridges.

By Reps. Johnson and Haynes (With Notice and Proof):

H. 1079. To authorize the Talladega County Commission acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Talladega County on all taxable property situated within Talladega County, outside the corporate limits of the cities of Talladega and Sylacauga, the special school tax which is authorized in Amendment No. 252 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.50 on each one hundred dollars (15 mills on each dollar) of assessed value.

By Reps. Johnson and Haynes (With Notice and Proof):

H. 1080. Relating to Talladega County; to raise additional revenue by levying in those parts of the county outside the corporate limits of the cities located in Talladega County special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes; providing for the ascertainment, collection, payment, distribution and use of the proceeds from such taxes, and for the enforcement of this act by the state department of revenue and penalties for violations; and further providing for liability of county commissioners for failure to follow said act.

By Rep. Johnson (With Notice and Proof):

H. 1081. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sylacauga, in Talladega County.

By Rep. Holley (With Notice and Proof):

H. 1082. Relating to Coffee County; providing for a special recording fee for each document filed for record in the office of the Probate Judge and to provide for the distribution of such fees.

By Rep. Holley (With Notice and Proof):

H. 1083. Relating to Coffee County; providing that the Coffee

County Commission shall meet at the New Brockton Farm Complex.

By Reps. Cosby, Thomas, and Bryant (With Notice and Proof):

H. 1084. Relating to Dallas County; providing for fire protection in certain areas of the county; levying a special fire protection property tax; providing for certain exemption from such tax and for collection of such tax; providing for disposition of funds from such tax to the county fire association and to the volunteer fire departments; providing for expenditure and accounting of such funds; providing for treatment of funds upon dissolution or abandonment of a volunteer fire department; granting immunity from certain liability to the county and providing for a referendum election on the provisions of this act.

Senator Campbell, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Lindsey (With Notice and Proof) (With Amendment):

H. 1088. Relating to Cherokee County; providing that the county commission shall have the power to exercise those home rule powers not reserved to the state by the Constitution of Alabama of 1901; providing that the home rule powers authorized for the county commission shall include but not be limited to: the power to levy and collect additional privilege license taxes, excise taxes, gasoline taxes and sales and use taxes; providing that any such tax levied by said county commission shall become law either with or without a referendum in the sole discretion of said county commission; and providing for the disposition of the proceeds of such taxes.

Senator Campbell, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Higginbotham (With Notice and Proof):

H. 1089. Relating to the City of Opelika in Lee County, Alabama; altering and rearranging the boundary lines and corporate limits in the City of Opelika by adding certain parcels of land.

By Rep. Rich (With Notice and Proof):

H. 1090. Relating to the City of Arab; approving an increase of the five mill ad valorem tax levied in the city pursuant to the general provisions of the Constitution and laws of the State of Alabama by nine and one-half mills to fourteen and one-half mills, all in accordance with Amendment No. 373 to the Constitution of Alabama of 1901; such additional nine and one-half mill tax to be levied and collected for each year beginning with the levy for the tax year October 1, 1991, to September 30, 1992 (the tax for which year will be due and payable October 1, 1992) and ending with the levy for the tax year October 1, 2020, to September 30, 2021 (the tax for which year will be due and payable October 1, 2021) and to be used by the city board of education for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of the city at a special election called and held in accordance with the law governing special elections.

By Reps. Carothers, Mathis, and Beasley (With Notice and Proof):

H. 1091. Relating to Houston County; providing further for the compensation of poll workers.

By Rep. Hill (With Notice and Proof):

H. 1092. Relating to Shelby County; repealing Act No. 1886, H. 2579, 1971 Regular Session, which provides for an assessment on forest lands for fire protection.

By Reps. Blakeney and Black (L) (With Notice and Proof):

H. 1093. Relating to Choctaw County; repealing Act No. 83-549, H. 451, 1983 Regular Session, which provides for an assessment on forest lands for fire protection.

By Reps. Venable and Mikell (With Notice and Proof):

H. 1094. Relating to Elmore County, providing further for the compensation of the coroner.

By Reps. Higginbotham and Turnham (With Notice and Proof):

H. 1095. Relating to county officers of Lee County who are required by law to receive revenue through their respective offices; to

establish in the county general fund a special reserve fund of \$5,000.00 to be available to said officers to charge off bad or uncollectable checks, provided that all other legal remedies shall be pursued to collect such unpaid items.

By Reps. Penry and McMillan (With Notice and Proof):

H. 1096. Relating to Baldwin County; providing for a planning and zoning commission for the unincorporated areas of Baldwin County; providing for the organization, membership, functions, authority and jurisdiction of such commission; providing for planning and zoning authority and jurisdiction for the Baldwin County Commission; providing for planning and zoning districts in the county; providing for the membership and qualifications of the members of boards of adjustment for such districts; providing for the organization, functions, authority and jurisdictions of such boards of adjustment; providing for the formulation and implementation of development plans for such districts; providing for assessment of a certain development privilege fee on properties within such districts and providing how funds derived from such fees may be expended; providing for fees for the administration of ordinances and regulations; providing procedures for adoption and approval of a comprehensive land use development plan for the county; providing for the appeal of decisions of the boards of adjustment; providing for the adoption of planning and zoning regulations by the Baldwin County Commission; providing for amendments to the master plan, ordinances and regulations; providing for conflicts in authority and providing for remedies to aid in the enforcement of this act.

By Reps. Blakeney and Black (L) (With Notice and Proof):

H. 1098. Relating to Choctaw County; providing that the Sheriff of Choctaw County may establish a canteen for the purpose of selling supplies to prisoners and to provide for the disposition for revenue derived from such sales.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Hawkins and Turnham:

H. 959. To authorize the governing body of a municipality to exempt the homesteads of residents over 65 years of age, or who are

retired due to permanent and total disability, or who are blind, in whole or in part from any ad valorem property tax increase imposed for public school purposes.

By Rep. Richardson:

H. 953. To provide that each public corporation which is authorized by law to operate a water system and to borrow money for use for one or more of its corporate purposes shall be specifically authorized to sell and issue bonds of such public corporations; to specify the use of proceeds of such bonds and the source of payment thereof; to make certain provisions with respect to the form, terms, denominations, tenor and maturities of such bonds, the interest thereon and the method and time of computing and paying such interest; to provide for the sale, execution and delivery of such bonds; to provide for liability on such bonds and security for the payment of principal thereof and interest thereon; and to make certain other provisions with respect to the borrowing of money and the issuance of bonds or other obligations by such public corporation.

By Rep. McDowell:

H. 885. To amend Sections 40-8-1 and 40-9-1, Code of Alabama 1975, which provide for ad valorem tax assessment rates and certain exemptions from ad valorem taxation, so as to clarify certain language relating to property used for educational, charitable or religious purposes.

By Rep. Lindsey:

H. 762. To provide for a supplemental appropriation of One Hundred Thousand Dollars (\$100,000.00) to the Alabama Department of Conservation and Natural Resources for matching funding or cooperative funding for the federal-state animal damage control program in Alabama.

By Reps. Morton, Drake, Campbell, Butler, Powell, Parker (T), Ford, Payne, Biddle, Haynes, Morrow, Hawkins, Letson, Black (M), Anderson, Newman, Millican, Petelos, Rogers (F), Rich, Smith (R), Haney, Rogers (J), McClain, Barnes, Carns, McDaniel, Sanderford, Dolbare, Layson, Cosby, Curry, Bugg, McMillan, Cullins, Buskey (JE), Gaston, Johnson, Beasley, Mathis, Bowling, Harvey, Buskey (JL), Turnham, Penry, McKee, Hooper, Kvalheim, Laird, Williams, Harper, Parker (P), Freeman, and Hill:

H. 748. To prohibit the Library Enhancement Fund in the

education appropriations from receiving less than 70 percent of its appropriation in any fiscal year in which proration is declared.

By Rep. Harper:

H. 540. To make a conditional appropriation from the State General Fund to the Shoals Entrepreneurial Center, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

By Reps. Bugg and Smith (R):

H. 463. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Bevill Center for Advanced Manufacturing Technology in Gadsden, Alabama, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Substitute):

H. 872. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Helen Keller Eye Research Foundation for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 870. To appropriate from the agricultural fund for the fiscal year ending September 30, 1991 the sum of \$250,000 for use by the Department of Agriculture and Industries.

By Rep. Mikell:

H. 372. To provide a statutory basis for the recovery of

unclaimed property from out-of-state holders when such holders did not originate the unclaimed property and are merely intermediaries, and to clarify that the address of the unclaimed property holder is unknown, and to provide that subsection (a) shall apply to all property held at the time of enactment, or at any time thereafter, regardless of when such property became or becomes presumptively abandoned.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Mathis (With Amendment):

H. 347. To amend Sections 40-6-1, 40-6-3, and 40-6-4, Code of Alabama 1975, as amended, relating to the qualifications, compensation, and benefits of supernumerary tax assessors, tax collectors, revenue commissioners, license commissioners or other elected or appointed officials charged with the assessment and/or collection of ad valorem taxes, so as to establish the minimum age of qualification; to provide for an increase in compensation; to provide further for the method of determining such compensation; to provide for future increases in such compensation and the compensation of surviving spouses of such officials; to exempt the compensation of such officials and their surviving spouses from state income tax after 1990; and to repeal Sections 40-6-5, 40-6-7 and 40-6-8, which relate to election to participate in the tax collectors and tax assessors supernumerary program.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 253. To make a conditional appropriation from the State General Fund to the Alabama Travel Council for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 232. To make a conditional appropriation from the Alabama

Special Educational Trust Fund to the Exploreum Museum of Discovery for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 238. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Kate Duncan Smith DAR School for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper:

H. 644. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama Sports Festival in Montgomery for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

By Reps. Buskey (JL), Knight, McClain, Freeman, Barnes, McDowell, Spratt, Grayson, Escott-Russell, Curry, Hooper, Bugg, Butler, Kvalheim, Carothers, Haynes, Mathis, and Fuller:

H. 700. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the AIDS Task Force of Alabama, Inc., for the fiscal year beginning October 1, 1991, for programs to help prevent the spread of AIDS; to require an operations plan and audited financial statement.

By Rep. Harper:

H. 229. To make supplemental appropriations to the Alabama Department of Economic and Community Affairs in the amount of One million one hundred forty-four thousand dollars (\$1,144,000) for the fiscal year ending September 30, 1991.

By Rep. Payne:

H. 128. To require persons engaged in the business of purchasing and receiving or collecting waste grease and animal by-products for rendering or recycling from businesses located in various cities of the state to pay a license tax in each such city; and to provide the rate of such license tax.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Reps. Knight and Fuller (With Amendment):

H. 88. To create the Catastrophic Trust Fund for Special Education to be administered by the State Department of Education for the purpose of assisting local education agencies in providing special education and related services to children with disabilities in catastrophic cases, and to further provide that unencumbered portions of the funds remain in the Catastrophic Trust Fund for Special Education for future use in such cases.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Zoghby:

H. 412. To further provide for payroll deductions for public officers and employees, so as to establish an annual Alabama state employees combined charitable campaign; to repeal Section 36-1-4.1, Code of Alabama 1975, as amended, relating to local United Way agencies and certain other health charities and payroll deductions.

By Rep. Harper:

H. 440. To appropriate the sum of \$500,000 from the State General Fund to the State Highway Department for the operations and maintenance of the Gulf Breeze Amtrak Passenger Train Service for the fiscal year ending September 30, 1991.

By Reps. Freeman and Harper:

H. 439. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Constitution Hall Village at Huntsville for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

By Reps. Harper, Payne, Black (M), Hammett, Curry, Buskey (JE),

Clark (W), Biddle, Starkey, Freeman, Hall, Holmes, Morton, Carns, Hamilton, Haney, Sanderson, Hill, Poole, and Harvey:

H. 416. To amend §40-23-2, Code of Alabama, 1975, relating to taxes levied on certain gross receipts, so as to provide that athletic events conducted by a primary or secondary public school shall be exempted from said tax and to provide that said funds shall continue to be collected and shall be retained by the collecting school.

By Reps. Freeman and Harper:

H. 110. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Space Science Exhibit Commission for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Substitute):

H. 208. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper (With Substitute):

H. 219. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Central Alabama Opportunities Industrialization Center for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper (With Substitute):

H. 224. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper (With Substitute):

H. 235. To make a conditional appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper (With Substitute):

H. 237. To make a conditional appropriation for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1992.

By Rep. Harper (With Substitute):

H. 239. To make a conditional appropriation for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1992.

By Rep. Harper (With Substitute):

H. 240. To make a conditional appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1992.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 241. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama Humanities Foundation for the fiscal year ending September 30, 1992 and to require an audited financial statement and operations plan prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Substitute):

H. 242. To make a conditional appropriation for the support and

maintenance of the Walker County Junior College for the fiscal year ending September 30, 1992.

By Rep. Harper (With Substitute):

H. 247. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Children's and Women's Hospital in Mobile, Alabama, for the fiscal year 1991-92, and to require an operations plan and audited financial statement prior to release of any funds.

By Rep. Harper (With Substitute):

H. 270. To make a conditional appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1992.

By Rep. Harper (With Substitute):

H. 271. To make a conditional appropriation for the support and maintenance of the Coosa Valley Medical Center School of Nursing for the fiscal year ending September 30, 1992.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 272. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama YMCA Youth and Government and the Cleveland Avenue YMCA for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Substitute):

H. 646. To make a conditional appropriation from the Alabama

Special Educational Trust Fund to the Commission on Physical Fitness for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 659. To amend Sections 40-7-1, 40-12-255, 40-12-252, 40-11-1, 40-8-1 and 32-8-2, Code of Alabama 1975, relating to mobile homes, so as to provide for registration and issuance fees for mobile home decals, provide further for ad valorem taxes on the mobile homes, provide for penalties for certain violations, provide for distribution of the fees and provide for certain exemptions from the registration fees.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Clark (W) (With Notice and Proof) (With Substitute):

H. 1058. To provide for the conditions under which an election may be held among the qualified voters of any incorporated municipality in Mobile County to determine whether alcoholic beverages may be legally sold and distributed in a municipality on Sundays by properly licensed retailers serving the general public; to provide conditions under which subsequent elections may be called to present the same question for reconsideration by the voters of the municipality; to provide the allowable dates on which elections called pursuant to this act may be held, to specify the question to be presented to the voters in such elections and to provide the manner in which such elections shall be conducted and the results canvassed, tabulated, certified and declared; to provide that the properly licensed sale and distribution of alcoholic beverages on Sunday, if approved by a majority of the voters in a municipality in an election held pursuant to this act, shall be legal in all of the municipality.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on

the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Zoghby (With Notice and Proof):

H. 980. Relating to the City of Mobile, to amend Act No. 243, H. 278, First Special Session of 1964, which provides for the pension and relief system for policemen and fire fighters of the City of Mobile, so as to provide for increased contributions to such system; to further define the certain terms; to provide further for the appointment of members to the pension board; to establish the pension rights of employees hired after the passage of this act; to provide for continued contributions; and to limit the time period during which a re-hired employee may buy back time from the system.

Senator Corbett, Chairperson of the Standing Committee on Economic Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper:

H. 380. To amend Section 2(C)(111) of Act 90-764 of the 1990 Regular Session so as to provide for the retention of inspection and supervision fees to meet the financial responsibilities of the Public Service Commission.

By Rep. Cosby:

H. 442. To induce tourism to the state of Alabama; to simplify the administration of certain existing tax requirements relating to tour bus operations; to amend Sections 40-19-1 and 40-17-150 of the Code of Alabama 1975, to define the term tour bus, and to amend 40-19-2 to exempt tour buses and charter party vehicles from the provisions of sections 40-19-3 through 40-19-17 of the Code of Alabama 1975, commonly known as the Motor Carrier Mileage Tax; to amend section 37-3-32 of the Code of Alabama 1975, as it applies to tour buses subject to the \$4.00 registration fee and the motor carrier fuel tax levied under section 40-17-141, to provide for a single remittance; provide for a system of remittance by a single check, money order, or, upon adoption of a duly promulgated regulation, by electronic funds transfer; and to provide for an effective date.

By Rep. Haynes:

H. 584. To amend section 37-2-41, section 37-4-23 and section 37-4-116 of the Code of Alabama 1975, relating to the inspection and supervision fees paid by transportation, utility, and radio utility companies, so as to provide further for such fees; and to provide for the future compensation of certain employees.

By Rep. Mathis:

H. 778. To amend Act No. 90-650, S. 62, 1990 Regular Session, which establishes the Economic Development Revolving Loan Funds, so as to provide further for the compensation of the members of the committee and to provide that appropriations made pursuant to the act shall not revert into the general fund at the end of the fiscal year.

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs/State Administration, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Buskey (JL):

H. 20. To amend Section 41-4-113 of the Code of Alabama 1975, relating to the department of finance's procedures for obtaining supplies or materials for state departments, so as to provide further for such procedures.

By Reps. Turnham, Fuller, and Flowers:

H. 180. Relating to persons who are required to register with the U. S. Selective Service System, so as to provide that such persons may not enroll in institutions of higher learning nor be offered employment or advancement or promotion by the State of Alabama unless such persons offer proof that they have so registered, and to authorize the State Personnel Board and the institutions of higher learning to promulgate necessary rules and regulations.

By Rep. Venable:

H. 537. To amend Sections 36-30-1 and 36-30-20 of the Code of Alabama 1975, so as to broaden the definition of "Peace Officer"; to make the provisions hereof retroactive to January 1, 1990.

By Reps. Parker (P) and Parker (T):

H. 579. To authorize the several state departments and agencies to prepay to officers and employees necessary travel expenses for authorized official state business; to provide that such payments shall be made in accordance with rules and regulations promulgated by the state comptroller with the approval of the chief examiner of public accounts; to provide for certain limitations and the annual audit of the expenditure of funds used in accordance with the provisions of this Act.

By Reps. Parker (P) and Parker (T):

H. 580. Relating to state officers and employees; to authorize the state comptroller with the approval of the chief examiner of public accounts to establish procedures for the prepayment of travel expenses.

Senator Ellis, Chairperson of the Standing Committee on Judiciary/Criminal Justice and Public Safety, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Johnson:

H. 155. To require that the State Board of Pharmacy establish and periodically update a published list of precursor chemicals which are essential to the manufacture of unlawful controlled substances; to establish an interim list of such chemicals; to enact registration, reporting, and record-keeping requirements for individuals who manufacture, buy, sell, transfer, transport, receive, possess, or otherwise furnish such listed precursor chemicals, under the direction and supervision of the Board of Pharmacy; to make unlawful the possession of listed precursor chemicals with knowledge or intent that the same will be used in the unlawful manufacture of controlled substances; to empower the Board of Pharmacy to adopt reasonable rules and regulations to effect the purposes of the act, and to charge reasonable fees for the registration of listed precursor chemical transactions; and to provide penalties for violation of the act.

By Rep. Rogers (J):

H. 194. To amend Section 14-9-41 of the Code of Alabama 1975, which relates to computation of incentive time deductions, so as to allow an inmate who has been sentenced to a term of 15 years or less in the state penitentiary to earn correctional incentive time in accordance

with the other provisions of this section.

By Reps. Knight and Hill:

H. 678. To provide that all full-time employees and executive officers of the Developing Alabama Youth Foundation may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Foundation and its employees shall assume all costs, both contributory and administrative; and ~~that~~ no costs shall devolve upon the state.

By Rep. Haney:

H. 691. To propose that those responsible for criminal activity may, when they have the financial ability to do so, be required by the court to make payments to a local crime stoppers program to help pay for crime stoppers' rewards.

By Reps. Williams, Hall, Newman, Letson, Haynes, Smith (C), Millican, Poole, Payne, Biddle, Morton, Hill, Knight, Morrow, McKee, Burke, Rich, Holley, McDowell, Sanderson, Gaines, Buskey (JL), Black (M), and Rogers (F):

H. 694. To create a "pilot project" for the Secretary of State to establish specifications for a uniform system of electronic voting and for the electronic transfer of election totals from counties to the Secretary of State's office.

Senator Bedsole, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Carothers:

H. 653. To establish the Alabama Public Livestock Marketing Business Act; to establish a board to promote the marketing of livestock; and to establish charters for public livestock markets and to fix fees therefor.

By Rep. Black (M):

H. 672. To amend §2-25-1, Code of Alabama (1975), which defines plants, plant pests, diseases and other definitions used in Chapter

25 to redefine plant pests and noxious weeds, dealers, plants, commissioner and board; to amend §2-25-2 by substituting plant pests and noxious weeds instead of insect pests and diseases in defining the purpose of Chapter 25; to amend §2-25-3 by substituting plant pests and noxious weeds for insect pests and diseases and adding plant pests and other articles capable of harboring plant pests or noxious weeds, and also allowing the commissioner to enter into cooperative agreements with other agencies, which said section defines the duty of the commissioner in protecting the agricultural interests of the state; to amend §2-25-4, which sets out the duties of the board by substituting plant pests and noxious weeds for insect pests and diseases and deleting its authority to enter into cooperative agreements; to amend §2-25-6, which sets up fees for obtaining inspection certificates for nurserymen and nurseries by allowing the state board of agriculture and industries to set fees; to repeal §2-25-7 in its entirety; to amend §2-25-8, which provides for revocation of inspection certificates; to amend §2-25-9, which provides for tagging of nursery stock by deleting those provisions that provide for recognizing out of state tags; to amend §2-25-10 by adding plant pests and noxious weeds to articles prohibited from being introduced into the state; to amend §2-25-13 by adding that plant products entering the state in violation of this law are contraband; to amend §2-25-14 by deleting the word agent; to amend §2-25-15 by substituting the words plant pests and noxious weeds for the words plant disease and insects; to amend §2-25-16, which prohibits improper destruction of infected plant cuttings, to add the words plant pests and noxious weeds; to repeal §2-25-17 in its entirety; to provide procedures to be used when nursery stock is found to contain plant pests and noxious weeds; to amend §2-25-18, which sets up appeal procedures to be used from an order of the commissioner, to set up requirements for written notice of appeal within 10 days; to repeal §2-25-19 in its entirety; to make unlawful the sale of nursery stock that is not viable and to define viability in nursery stock; to set up procedures for fumigation or treatment of infested plants; to amend §2-25-22, which provides penalties for violation of this Chapter by defining misdemeanor and conferring upon the commissioner the powers of a sheriff in enforcing these laws; to provide for issuance of injunctions for violations; to provide that principals are responsible for their agents' acts; to allow the commissioner to call into consultation specialists at Auburn University; to provide that persons shipping plants shall notify the commissioner if there is a violation.

By Rep. Buskey (JL):

H. 489. To amend Section 34-12-8, Code of Alabama 1975, which relates to licensing of foresters, so as to provide further for the

renewals of said licenses.

By Reps. Carothers, Layson, Beasley, Haynes, Newman, Ford, Hill, Penry, Johnson, Turner, Millican, Mikell, Newton (C), Mathis, Laird, Dolbare, Willis, Crow, Hogan, Blakeney, Kvalheim, Gaston, McMillan, Powell, Zoghby, Rockhold, Gullatt, Cullins, Burke, Bowling, Carns, Hawkins, Sanderford, Haney, Smith (R), Hamilton, Richardson, Lindsey, McDaniel, Gaines, Morton, Sanderson, Knight, Rogers (F), Parker (T), Parker (P), Smith (C), Hall, Butler, Campbell, Starkey, Harvey, Turnham, Flowers, Cosby, Venable, Williams, Holladay, Clark (J), and Biddle:

H. 437. To require all persons 16 years of age or older to present certification of completion of an approved hunter education course prior to obtaining a hunting license and provides penalties for violations.

By Reps. Hooper, Clark (J), Gaston, and Johnson:

H. 510. To amend Section 2-6A-1 by changing commission to department of agriculture and industries; to repeal Sections 2-6A-2, 2-6A-3, 2-6A-4, 2-6A-5 and 2-6A-6 which set up a farm crisis and transition commission and its operation; to set up a farm crisis and transition program under the department of agriculture and industries and to give the commissioner of agriculture and industries the power to employ staff and to conduct the program; to allow the adoption of regulations; to provide for the transfer of all personnel, equipment and files from the farm crisis and transition commission into the department of agriculture and industries; to allow the commissioner of agriculture and industries to accept contributions from any public or private source.

By Rep. Letson:

H. 401. To amend Section 2-27-9 which provides for registration of pesticides by raising the annual registration fee from \$50 up to \$100.

By Rep. Richardson:

H. 390. To amend Sections 9-11-55 and 9-11-56, Code of Alabama, 1975, relating to certain nonresident fishing licenses, so as to further provide for the cost thereof.

By Reps. Penry, McMillan, and Clark (J):

H. 365. To provide for and require a "commercial party boat"

license for certain fishing boats; to provide that persons fishing on said boats may do so and may land certain fish, without a fishing license; to provide for the application for and issuance of said licenses; to prohibit the transfer of, borrowing of, lending of or alteration of, said licenses; to prohibit the back-dating of said licenses; to provide for an annual expiration date for said licenses; to provide misdemeanor penalties for the violation of this act; to provide for the remittance of and use of license revenues; and to provide for an effective date of this act.

By Reps. Knight, Hill, and Richardson:

H. 138. To provide for a special lifetime hunting, fishing, and combination license for sixty-four year old residents.

Senator Hilliard, Chairperson of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Flowers:

H. 752. To amend section 22-30B-2, Code of Alabama 1975, relating to fees paid by operators of commercial sites for the disposal of hazardous wastes or substances; so as to extend the time period in which exempted businesses may petition the department of revenue to qualify for such exempted status; to provide that the provisions of this amendatory act shall be retroactively effective to July 15, 1990; and to provide certain taxpayer relief concerning such exemption.

By Rep. Rogers (J):

H. 188. To create an educational program in this state called the "Telecommunications Based Educational Opportunity Program" to provide grants to local school districts, junior colleges and four-year institutions of higher education and to Alabama Public Television in order to enhance educational opportunities using telecommunications technology; to create a fund for the said program which shall be financed by a sales and use tax on canned computer software; to provide for the administration of the program by the Commission on Telecommunications Based Education; to provide for the creation of said commission, and for its membership, meetings, responsibilities and powers; to provide for the levy, collection and distribution of the said sales and use tax on canned computer software and provide definitions; to amend Sections 40-23-1 and 40-23-60, Code of Alabama 1975, for

such purposes; to provide for the video educational programs and grants awarded pursuant to this act; and to authorize other instructional programs on a contract basis, including state employee training programs.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

SJR 134. COMMENDING DR. DAVID L. WALTERS ON HIS RETIREMENT AS DIRECTOR OF BANDS AT JACKSONVILLE STATE UNIVERSITY.

Also:

SJR 136. COMMENDING JIMMIE LEE DAVIS OF MONTGOMERY, ALABAMA, FOR HIS DEDICATED COMMITMENT TO GOD, FAMILY AND COMMUNITY.

Also:

SJR 137. COMMENDING COACH WILLIAM R. LANKFORD OF JEFFERSON STATE COMMUNITY COLLEGE AND NAMING THE GYMNASIUM IN THE LEROY BROWN BUILDING "THE WILLIAM R. LANKFORD GYMNASIUM."

Also:

SJR 138. COMMENDING PHILIP A. SELLERS OF MONTGOMERY, ALABAMA.

Also:

SJR 141. COMMENDING HENRY RAND FOR LONGTIME AND DISTINGUISHED SERVICE AS TAX COLLECTOR FOR COLBERT COUNTY.

Also:

SJR 142. COMMENDING JAMES HUGHES OF COTTONWOOD, ALABAMA.

Also:

SJR 143. AUTHORIZING THE JOINT FISCAL COMMITTEE TO EMPLOY LEGAL COUNSEL TO DEFEND AGAINST, INTERVENE IN OR INITIATE LEGAL PROCEEDINGS CONCERNING THE LEGISLATIVE BUDGET PROCESS.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

SJR 132. COMMENDING FRANK BRUER, CAPITAL CORRESPONDENT FOR THE BIRMINGHAM POST HERALD, ON HIS DISTINGUISHED CAREER, AND NAMING THE STATE HOUSE PRESS ROOM IN HIS HONOR.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate Bill:

S. 111. To provide for licensure and regulation of the home building industry; to provide for examination and issuance of licenses; to provide for the Home Builders Licensure Board; to provide for licensing fees and penalties for violations; to authorize said board to prescribe administrative rules and regulations; to provide for revocation of licenses; to prescribe appellate procedure for board decisions and to exempt certain persons and entities from this act.

And the Speaker of the House has appointed as Committee on part of the House, Representatives Hooper, Hill, and Gullatt.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate Bill:

S. 3. Relating to Shelby County; to provide an additional county salary to the probate judge for the remainder of the current term of office, which ends in January 1995, for loss of compensation as a result of being relieved of his duties as chairman of the Shelby County commission by a United States federal court order and relinquish use of automobile and expense account now receiving.

And the Speaker of the House has appointed as Committee on part of the House, Representatives Hill, Knight, and McMillan.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 389. To amend Section 29-2-51 of the Code of Alabama 1975, relating to the permanent legislative committee on reapportionment so as to provide further for additional at-large members.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

SJR 139. EXPRESSING THE WILL AND INTENT OF THE PEOPLE OF ALABAMA THAT THE PIPELINE PROPOSALS, KNOWN AS DOCKET NOS. CP89-522 AND CP89-523, PENDING BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION, BE APPROVED IN A TIMELY MANNER.

Also:

SJR 146. URGING CONGRESS TO MAINTAIN THE DUAL BANKING SYSTEM AND TO PRESERVE STATES' RIGHTS IN ANY BANKING REFORM LEGISLATION.

Also:

SJR 147. TO PROVIDE FOR DIRECTIONAL SIGNS FOR THE MONTGOMERY STATE FARMERS MARKET.

Also:

SJR 148. COMMENDING THE HONORABLE HUGH EDWIN HOLLADAY, PRESIDING CIRCUIT JUDGE THIRTEENTH JUDICIAL CIRCUIT, ON THE OCCASION OF HIS JUDICIAL RETIREMENT.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 950. Relating to Calhoun County; to amend Act No. 87-426, H. 775, 1987 Regular Session (Acts of Alabama, 1987, p. 636), which authorizes Calhoun County, to levy an annual license or privilege fee

upon any business except for practicing the religious tenets of any church, so as to provide that if a business is conducted as certain entities in which more than one natural person is engaged as a lawyer, actuary, accountant, architect, doctor, dentist, osteopath, chiropractor, optometrist, oculist, or optician, then each natural person so engaged shall be treated as if such natural person were conducting a separate business and each such natural person shall pay a license or privilege fee, and so as to provide that one of the purposes of said act is to provide for local needs in Calhoun County, Alabama, not provided for by a general law.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 908. Providing for a board of education for the city of Tallassee, Alabama, to be elected by the qualified electors of said city; providing that the members of such board shall be elected from defined school districts; providing for the terms of office, qualifications and compensation of such members; prescribing procedures for electing such members and for filling vacancies on such board; providing for board representation for persons not residing within a specific school district; providing certain immunity for such board members; providing for financial audits of the records of such board; specifically repealing Act No. 90-619 of the 1990 Regular Session of the Legislature and all other laws or parts of laws in conflict herewith and providing that this act shall become effective only upon the ratification of an amendment to the Constitution of Alabama 1901, authorizing an elected school board for the city of Tallassee and if such amendment is approved by a majority of the qualified electors of Elmore and Tallapoosa Counties voting on such constitutional amendment.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 279. To provide for immunity for certain persons responding to certain oil spills.

GREG PAPPAS,
Clerk.

MOTION TO ADJOURN

Senator Corbett moved that when the Senate adjourns today, it adjourn to meet again on Thursday, July 18, 1991, at 9 o'clock A.M.

On motion of Senator Preuit, said motion was laid on the table.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate Amendment to the Bill:

H. 367. To authorize the State Industrial Development Authority to sell and issue, from time to time, up to \$100,000,000 in principal amount of its bonds in addition to those heretofore authorized to be issued by it, provided not more than \$10,000,000 in aggregate amount shall be issued in any two-year period and not more than \$40,000,000 in aggregate principal amount shall be outstanding at any one time; to

expand certain powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to certain grantees, subject to certain limitations, for the purpose of paying costs of preparation of sites for use by certain enterprises; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide for the execution, form and terms of such bonds and for the terms of sale thereof; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Sections 40-25-2 and 40-25-23, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the state treasurer shall be the custodian of the funds of the Authority.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Representatives Hooper, Starkey, and Freeman.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

On motion of Senator Hale, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, HB 367, the title of which is set out in the foregoing Message from the House.

Yeas 28 Nays 1

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, Wilson, and Windom

-28

Nay: Senator Figures

- 1

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Senators Ellis, Hale, and Barron.

BUDGET ISOLATION RESOLUTION

Senator Bailey, B.I.R., SB 578, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

FURTHER CONSIDERATION OF SB 578

The Senate proceeded to further consideration of the Bill, SB 578.

The Standing Committee on Agriculture, Conservation, and Forestry reported the following amendment to the Bill, SB 578, to-wit:

AMENDMENT TO SB 578

Amend Senate Bill No. 578, on Page 4, Line 17, as follows:

Delete the word "position" and insert the word "circumstances"

Further amend on page 7, lines 19, 27 and 32 by deleting the word "position" and inserting the word "circumstances"

Further amend on page 8, line 27 and on page 9, line 2 by deleting the word "position" and inserting the word "circumstances"

Which was adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb,

Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B),
Smith (J), Waggoner, Wilson, and Windom -28

Nays: - 0

And said Bill, SB 578, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays: - 0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

S. 27. To amend Section 33-4-38, Code of Alabama 1975, which provides for the levy, payment and disposition of ship pilot's license tax, so as to increase the amount thereof.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

On motion of Senator Bedsole, the Senate concurred in and adopted the following House amendment to the Bill, SB 27, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SB 27

Amend SB 27 on page 1, line 27 after the word "annually" by adding the following: plus any reasonable additional assessment that arises and is necessarily incurred out of the performance by the pilot commission of their duties imposed by law,

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, SB 160.

Senator Windom, B.I.R., SB 160, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 160. To provide an 18.8% increase in judicial retirement benefits beginning in October of 1991, for those retired district judges who assumed the office of district judge prior to July 30, 1979, and who retired before October 1, 1991; to provide that the board of control of the employees' retirement system shall compute the costs required and provide for payment of such amounts from the judicial retirement fund; to provide for an appropriation from the state general fund to cover the cost of the increase in benefits; to provide that this act shall supersede any inconsistent and conflicting laws; to provide that the increase shall not increase any local supplement or retirement benefits for retired district judges unless approved by the county commission affected; and to provide for an effective date.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, SB 160, to-wit:

SUBSTITUTE FOR SB 160

**A B I L L
T O B E E N T I T L E D
A N A C T**

To provide an 18.8% increase in judicial retirement benefits beginning in October of 1992, for those retired district judges who assumed the office of district judge prior to July 30, 1979, and who retired before October 1, 1992; to provide that the board of control of the employees' retirement system shall compute the costs required and provide for payment of such amounts from the judicial retirement fund; to provide for an appropriation from the state general fund to cover the cost of the increase in benefits; to provide that this act shall supersede any inconsistent and conflicting laws; to provide that the increase shall not increase any local supplement or retirement benefits for retired district judges unless approved by the county commission affected; and to provide for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) There is hereby provided to any and every retired district judge who served as a district judge prior to July 30, 1979, an increase of 18.8% of the judicial retirement benefits which they are receiving on the effective date of the act. Said increase shall be payable and included in the retirement benefits beginning in October of 1992.

(b) Within 30 days of the passage and approval of this act, the board of control of the employees' retirement system shall determine the amount required to pay the costs of the benefits provided herein and shall certify said amount to the state comptroller and said amount as so determined is hereby appropriated from the state general fund and shall be used to cover the costs of the increase in benefits hereby established by this act.

(c) The provisions of this act are supplemental to all other laws regulating and providing for the payment of retirement benefits to retired district judges of Alabama notwithstanding any laws or parts of laws to the contrary; provided, however, the increase granted under the provisions of this act shall in no way increase local supplements or retirement benefits provided to any retired district judge by a county, unless approved by the county commission of the county from which the

district judge retired.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. The provisions of this act shall apply only to those district judges who have retired prior to October 1, 1992.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Senator Windom, said substitute was laid on the table.

Senator Windom then offered the following substitute for the Bill, SB 160, to-wit:

SUBSTITUTE FOR SB 160

**A B I L L
T O B E E N T I T L E D
A N A C T**

To provide an 18.8% increase in judicial retirement benefits beginning in October of 1992, for those retired district judges who assumed the office of district judge prior to July 30, 1979, and who retired before October 1, 1992; to provide that the board of control of the employees' retirement system shall compute the costs required and provide for payment of such amounts from the judicial retirement fund; to provide for an appropriation from the state general fund to cover the cost of the increase in benefits; to provide that this act shall supersede any inconsistent and conflicting laws; to provide that the increase shall not increase any local supplement or retirement benefits for retired district judges unless approved by the county commission affected; and to provide for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) There is hereby provided to any and every retired district judge who served as a district judge prior to July 30, 1979, an increase of 18.8% of the judicial retirement benefits which they are receiving on the effective date of the act. Said increase shall be payable and included in the retirement benefits beginning in October of 1992.

(b) Within 30 days of the passage and approval of this act, the board of control of the employees' retirement system shall determine the amount required to pay the costs of the benefits provided herein and shall certify said amount to the state comptroller and said amount as so determined is hereby appropriated from the state general fund and shall be used to cover the costs of the increase in benefits hereby established by this act.

(c) The provisions of this act are supplemental to all other laws regulating and providing for the payment of retirement benefits to retired district judges of Alabama notwithstanding any laws or parts of laws to the contrary; provided, however, the increase granted under the provisions of this act shall in no way increase local supplements or retirement benefits provided to any retired district judge by a county, unless approved by the county commission of the county from which the district judge retired.

(d) Provided, however, that it shall be optional with any person who meets the qualifications under the provisions of this act and elects to come under the provisions hereof.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. The provisions of this act shall apply only to those district judges who have retired prior to October 1, 1991.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

And said Bill, SB 160, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 28 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -28

Nays:

- 0

On motion of Senator Windom, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bills, SB's 578 and 160.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

S. 459. To give the act a title; to enumerate the goals of this act; to amend section 16-23-3, Code of Alabama 1975, to require the state board of education to adopt policies authorizing under certain circumstances alternative certificates to be issued regardless of whether the recipient is a graduate of an approved teacher program; to provide that persons receiving alternative certificates for three consecutive years may under certain circumstances be granted a teaching certificate pursuant to section 16-23-1, Code of Alabama 1975, and become eligible for continuing service status; to provide for emergency certificates; to provide that time served pursuant to an alternative certificate shall be counted in determining continuing service status; to amend sections 16-3-16, 16-23-14, and 16-23-15, Code of Alabama 1975, consistent with Chapter 23 of Title 16, Code of Alabama 1975, as amended; to establish a Professional Teachers Standards Commission and to provide for the designation or development of an entry-level pre-certification examination for teacher candidates in Alabama; to amend section 16-3-15, Code of Alabama 1975, by defining "required courses" and "elective courses" and by requiring the state board of education to mandate certain required courses for grades 9 through 12 in public schools beginning with students entering the 9th grade in the 1992-93

academic year, and by authorizing the state board of education to approve elective courses in public schools, and by providing that in the event a city or county board of education has met certain specified conditions then such local board may approve elective courses in addition to the required courses set forth and elective courses approved by the state board of education, provided, however, that if a local board approves an elective course previously approved by the state board of education then the local board is required to use any course content approved by the state board of education for such elective, and by providing that in the event a city or county board of education has not met certain specified conditions then such local board shall offer only elective courses approved by the state board of education, and by providing that the state board of education shall adopt policies, procedures, rules, regulations, and/or standards to require that certain courses must be taken and successfully passed by every student enrolled in grades 9 through 12 of public schools prior to receipt of a diploma, phased in beginning with students entering the 9th grade in the 1992-93 academic year, providing, however, for students identified as eligible for special education services, and by providing that the state board of education shall adopt policies, procedures, rules, regulations, and/or standards to require that a certain number of elective courses must be successfully passed by a student in grades 9 through 12 of public schools prior to such student's graduation or receipt of a diploma, phased in beginning with students entering the 9th grade in the 1992-93 academic year, by providing that the state board of education shall adopt other provisions necessary to fully implement this section so long as such provisions are consistent with all requirements, restrictions, definitions, and limitations of this section, and by providing that the state board of education shall require that certain courses be taught in grades one through eight in all public schools, phased in beginning with students entering grades one through eight in the 1992-93 academic year, and by providing that the state board of education shall adopt necessary policies, procedures, rules, regulations and/or standards to encourage college and university departments of education to review existing educational programs to ensure that prospective teachers are properly prepared; to amend section 16-35-1, Code of Alabama 1975, as amended, by expanding the courses of study committee; to repeal sections 16-40-2, 16-40-3, 16-40-4, 16-40-5.1, 16-40-5.2, 16-40-5.3, 16-40-5.4 and 16-40-6, Code of Alabama 1975, effective August 1, 1992; to require the state board of education to adopt learner outcomes defining what students must know to compete nationally and internationally; to require the state board of education policies to require mechanisms to receive feedback from higher education institutions and the business community; to require the state board of education to eliminate social promotion of students by strengthening promotion and retention standards required of all local

school systems; to require local boards of education to provide counseling, tutorial assistance, and remediation when necessary to ensure that students are literate in the skills identified in the required courses of study and have achieved standards of the grade level of learning on course content; to direct to the state board of education to establish a performance-based accreditation system for all city and county school systems and all public schools to supplement the existing accreditation system; to direct the state board of education to establish specific guidelines and minimum performance levels which reflect the standards required for accreditation and to identify certain standards required for accreditation, which standards shall include a measurement of the academic performance of each school and school system and shall be directly linked with the student assessment program as provided for in this act; to provide that such accreditation standards shall include minimum requirements for science instructors; to require each city or county school system to submit to the state board of education information as may be required to determine its accreditation status; to provide a means of classifying schools and school systems as excellent, satisfactory or probationary, and providing further for an annual report to be known as the "Report Card on Our Schools and School Systems"; to require non-accredited and accredited probationary city or county school systems to develop education improvement plans subject to the approval of the state superintendent of education and designed to cause such school system and each public school to meet standards and minimum performance required for accreditation; to establish a procedure for any member of the public to lodge a complaint against any school or school system if the complaining person has reason to believe such school or school system is falling below the minimum performance standards established herein; to allow the state superintendent of education to intervene in the operation of a non-accredited school system temporarily in the event that such board fails to implement an education improvement plan or is unable or unwilling to meet the standards and minimum performance levels to be accredited; to provide for a lengthened school term of 179 actual teaching days, phased in with one additional teaching day annually from 1992 through 1996; to provide that any employee required to work an additional day or days shall be compensated with a corresponding additional day or days' pay in addition to any cost of living adjustment; to create the Alabama Council on Family and Children for the purpose of coordinating services supporting early childhood development and family involvement in education, to specify the membership of the council, to direct the Alabama Council on Family and Children to submit to the Governor and the legislature recommendations concerning the federally sponsored Head Start Programs and state-sponsored Head Start type programs, including pilot testing thereof, to establish criteria for recognizing preschool students in need of readi-

ness skills and the development of summer programs to aid such students, and to direct the Alabama Council on Family and Children to recommend programs of instruction in professional development for public school instructors, teachers and administrators involved in early childhood development; to amend section 16-28-4, Code of Alabama 1975, to provide that before a child may be admitted to the first grade in the public schools such child must have completed one year of kindergarten in either public, private or church school kindergarten; to define "schools of choice" and "school system," to authorize county and city boards of education to implement a Schools of Choice plan for use within their respective school systems consistent with federal and state constitutional, statutory, and administrative provisions of law, including applicable federal or state court orders including but not limited to all applicable federal court desegregation orders, where such plan is adopted by either a resolution of the respective city or county board, or a majority of voters within a particular jurisdiction at a referendum called by a resolution of the respective county or city board of education and held in accordance with special election laws, to require city and county boards to report to the state superintendent and certify compliance of local Schools of Choice plans with applicable federal or state court orders including but not limited to all applicable federal court desegregation orders, and applicable federal and state constitutional, statutory, and administrative provisions of law, to require the state superintendent to submit an annual Schools of Choice report to the state board of education; to require the state board of education to adopt a program to implement a complete, valid and reliable assessment of student achievement in the core curriculum courses for students, and to correlate the results of such tests with the development of promotion and retention standards as required by this act; to include as part of the assessment certain mandatory student examinations; to require the state board of education to develop and implement an aptitude assessment program; to direct the state board of education to establish a goal of increasing the scale score for passing the Alabama High School Graduation Exam over the next three scholastic years beginning with the exam to be given in the fall of 1992, and direct the state board of education to continually revise the Alabama High School Graduation Exam to ensure that said exam measures the skills and knowledge expected of high school graduates; to provide that all students who participate in work-related programs requiring those students to leave school for more than one instructional period during their regular school day shall have met or exceeded the minimum acceptable level of performance in a test of basic skills; to require the state board of education to adopt a mandatory and enforceable attendance policy for all students, which policy shall recognize that it is the responsibility of every parent or guardian to ensure his/her child is regular in public, private, or church-school school

attendance, and parents shall be held accountable for the failure of the child who is of compulsory attendance age to attend; to provide for increased utilization of advanced technology in Alabama public schools and teacher training programs; to establish a Council on Adult Education and specify the membership thereof, which will develop long-range recommendations and an inventory of adult education programs and report to the 1992 regular session of the legislature; to provide the Council on Adult Education with support staff provided by the Alabama department of postsecondary education and the state department of education; to require, each public school instructor, teacher, supervisor or administrator to complete a minimum of twelve-clock hours of approved instruction in professional development beginning with the 1992-93 school year; to require the Alabama state board of education to provide courses of instruction in professional development and to specify certain subjects which must be offered; to require any public school instructor, teacher, supervisor or administrator who fails to earn twelve-clock hours of professional development credits by June 15 to submit a plan for making up the deficiency; to require the local superintendent of education to monitor compliance with the minimum credit hours requirement and to report non-compliance by personnel within his jurisdiction to the state superintendent of education; to direct the state board of education to study programs of instruction in professional development designed to develop leadership skills for school system administrators and principals which utilize expertise from private industry; to direct the state board of education to implement a personnel evaluation system to further assist public school personnel in completing the professional development requirements imposed herein; to identify and define students who are at-risk of poor academic performance, failure or dropping out; to direct the state board of education to cause to be developed programs for providing educational and related services reasonably calculated to enable at-risk children to successfully complete the elementary and secondary curriculum; to direct the state board of education to develop pilot alternative programs for students with behavioral or instructional problems which cannot be met in the regular school program; to direct the state board of education to implement a pilot program to determine the optimum teacher-pupil ratios for promoting academic achievement for students who are economically or educationally deprived; to direct the state board of education to monitor, analyze and report to the Governor and the legislature on such pilot programs; to further direct the state board of education to cause to be developed and piloted dropout prevention and recovery programs; to require the state board of education to designate certain schools or school systems as lead schools or school systems for purposes of implementation of a dropout prevention and retrieval program; to require the state board of education to monitor and provide guidance for schools or school

systems with dropout prevention and retrieval programs deemed to be deficient; to direct the state board of education to adopt policies and procedures to implement a comprehensive career awareness program in the middle schools, to place strong emphasis on school counselors to identify students at-risk, to develop professional development programs to prepare teachers for dealing with students at-risk, to encourage business and community involvement, and to increase the graduation rate to 90 percent by the year 2000; to provide for the development of flexible school terms extending over the twelve-month calendar year, with approval by the state board of education; and to provide that school personnel may work extended contract periods provided such personnel are willing and are paid commensurate with the system's salary schedule; to require the state board of education to encourage city and county boards of education to develop site based decision-making programs and innovative programs and methods of instruction for local schools and apply to the state board of education for waiver of any relevant state board of education policy, standard, regulation, and/or procedure, so long as the state board of education policy, standard, regulation, and/or procedure is not expressly required by statute, and providing that the state superintendent of education shall monitor such programs, and providing that no employees shall have diminished or revoked any contractual or due process rights guaranteed by law or policy of the state board of education as a result of the implementation of site based decision-making programs adopted as a result of this act; to require the state board of education to require the state superintendent of education to recommend changes to encourage city and county boards to develop local programs, to require the state board of education to require the state superintendent of education to recommend a plan for grants to city and county boards that restructure local programs to promote educational enhancement at the local level; to require that school boards shall develop and adopt a discipline plan and a code of student conduct, ensuring a safe school environment free of illegal drugs, alcohol or weapons, establishing uniform policies and penalties; to prescribe minimum standards for school discipline and vandalism policies, and to create a cause of action against parents and/or guardians of any minor who damages school property; to provide civil immunity for teachers and other school authorities for carrying out discipline policies in the schools; to require the state board of education to develop a financial tracking and reporting system for all funds allocated by the Alabama Special Educational Trust Fund Appropriation Act to the local school systems and the local schools in each system; to designate the Alabama Education Study Commission as the Standards on Excellence Commission responsible for examining the required courses, testing programs for teacher candidates, promotion and retention standards, student assessment programs and the performance-based accreditation standards, as well as overall compliance

under this act, and to require said commission to report its findings to the Governor, legislature, and state board of education; to provide that any and all mandates contained in the provisions of this act shall be mandated only to the extent that funds are appropriated or otherwise made available for the purposes of implementing such mandates; to provide the intent of the legislature that any board, commission, council or similar body designated or created pursuant to this act shall have equitable representation of minorities; to provide that definitions set forth shall be deemed applicable whether the words defined are used in the singular or plural; to provide that any pronoun used herein shall be deemed to include both the singular and the plural and to cover all genders; to provide for severability; to provide for an effective date.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

Senator Bennett moved that the Senate concur in the following House amendment to the Bill, SB 459, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SB 459

Amend Senate Bill 459 on page 3, the title, line 11, delete the language "and 16-40-6" and insert in lieu thereof the following: 16-40-6 and 16-40-7

Also, on page 24, Section 6, line 25, delete the language "and 16-40-6" and insert in lieu thereof the following: 16-40-6 and 16-40-7

Also:

Amend Senate Bill 459 on page 25, line 13, after the "period" by inserting the following language:

"The decision as to whether to promote a kindergarten student to Grade 1 shall rest solely with that student's kindergarten teacher and school principal. Such decision shall be final. Any appeal of this decision must be made to the local school board and any vote to overturn such decision must be taken by said board in a public meeting and must be by majority vote of said board."

Also:

Amend Substitute for S. 459, in the title on page 5, beginning on line 9, after the word "development" by striking the following: ~~to amend Section 16-28-4, Code of Alabama 1975, to provide that before a child may be admitted to the first grade in the public schools such child must have completed one year of kindergarten in either public, private or church school kindergarten;~~

Further amend Substitute for S. 459, Section 13, page 36, line 3, after the words "admission to" by striking the following: the first grade ~~in~~

Further amend Substitute for S. 459, Section 13, page 36, beginning on line 6, by inserting a period after the word "thereafter" and striking the following: ~~; provided that such child shall have first completed one school year of any public, private or church school kindergarten~~

Further amend Substitute for S. 459, Section 13, beginning on page 36, line 23, after the word "pupils" by striking the following: ~~; provided that such child shall have first completed one school year of any public, private, or church school kindergarten. Provided, however, the kindergarten requirement specified in this section shall apply to students entering the first grade during and after the 1993-94 school year. Nothing in this section shall be deemed to permit the state board of education to impose standards, regulations or requirements for private or church school kindergarten programs. Any local board of education shall upon the recommendation of the local superintendent of education excuse the attendance of any child from the provisions of this section, provided the parent, guardian or other person residing within the state, who has custody of the child request an exemption for the child, and presents written documentation a letter from a medical physician that the child is not physically, mentally or emotionally ready to attend school. The name of the child shall not be disclosed publicly and the letter from the medical physician shall be destroyed by the superintendent two years after the action by the local board of education so that the letter shall not become a part of the child's records.~~

"The provisions of this section which require the attendance of all children in kindergarten may be waived for any child who moves to this state from a state that does not provide and require the attendance of all children in kindergarten classes.

Also:

On page 20, line 7, after the word "United States" add the following:

The Legislature further recommends that the curriculum content of American History shall include the teaching of important historical documents such as the Constitution of the United States, The Declaration of Independence, The Emancipation Proclamation, The Federalist Papers, and other such documents important to the history and heritage of the United States.

Senator Dixon offered a substitute motion that the Senate non-concur in the House amendment to the Bill, SB 459, and request a Committee on Conference.

On motion of Senator Bennett, said motion was laid on the table.

Yeas 20 Nays 6

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Ellis, Figures, Floyd, Foshee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Mitchell, Owens, Preuitt, Sanders, Waggoner, Wilson, and Windom -20

Nays:

Senators:

Campbell, Corbett, Dixon, Ghee, Little, and Parsons - 6

The question recurred on the motion of Senator Bennett that the Senate concur in the House amendment to the Bill, SB 459.

On motion of Senator Parsons, the Rules were suspended and further consideration of the Message from the House relative to the Bill, SB 459, was postponed subject to the call of the Chair.

REPORTS FROM RULES

Senator Preuitt, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

HJR 92. COMMENDING GENERAL COLIN L. POWELL, CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

Also:

HJR 96. COMMENDING JUDY CROCKETT OF MONTGOMERY'S THOMAS HEAD ELEMENTARY SCHOOL, RECIPIENT OF ALABAMA'S OUTSTANDING LD TEACHER AWARD.

Also:

HJR 98. HONORING THE AMERICAN TREE FARM SYSTEM ON THE CELEBRATION OF ITS 50TH ANNIVERSARY.

Also:

HJR 118. COMMENDING THE PELL CITY HIGH SCHOOL LADY PANTHERS ON THE 1991 STATE CLASS 5A BASKETBALL CHAMPIONSHIP.

Also:

HJR 122. CONGRATULATING ANITA TATUM OF MONTGOMERY, ALABAMA, FOR OUTSTANDING PUBLIC SERVICE

Also:

HJR 125. COMMENDING BARRY BAKER OF CLANTON, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

HJR 129. COMMENDING ROBERT E. LAWSON FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE.

Also:

HJR 131. MOURNING THE DEATH OF DONALD GENE PARMER OF MOBILE, ALABAMA.

Also:

HJR 138. MOURNING THE DEATH OF ROY LEE MULLINS OF RUSSELLVILLE, ALABAMA.

Also:

HJR 141. COMMENDING TAMIEKIA LASHAE BONNER OF CITRONELLE, ALABAMA, FOR OUTSTANDING ACADEMIC ACHIEVEMENT.

Also:

HJR 152. COMMENDING AUBURN UNIVERSITY FACULTY MEMBERS DALE L. HUFFMAN, W. RUSSELL EGBERT, AND JOHN E. DUNKELBERGER; GRADUATE STUDENTS KYLE B. BULLOCK, CHIAO-MIN CHEN, KARLA KASABACK, MARTHA VEALE LIU, AND DOUGLAS SUMMERFORD; AND THE ALABAMA AGRICULTURAL EXPERIMENT STATION, THE COLLEGE OF AGRICULTURE, AND THE DEPARTMENT OF ANIMAL AND DAIRY SCIENCES.

Also:

HJR 166. COMMENDING JAMES MARTIN OF TUSKEGEE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

HJR 167. COMMENDING TONYA TICE OF HAMILTON, ALABAMA, ON OUTSTANDING ACADEMIC AND ATHLETIC ACHIEVEMENTS.

Also:

HJR 168. COMMENDING CHET FRAZIER OF BRILLIANT, ALABAMA, ON OUTSTANDING ACADEMIC AND ATHLETIC ACHIEVEMENTS.

Also:

HJR 170. COMMENDING TIMOTHY D. BARNETT OF HALEYVILLE, ALABAMA, ON OUTSTANDING ACADEMIC AND ATHLETIC ACHIEVEMENTS.

Also:

HJR 171. COMMENDING MARK FANCHER OF RED BAY HIGH SCHOOL FOR OUTSTANDING ACHIEVEMENT.

Also:

HJR 172. MOURNING THE DEATH OF DR. JAMES HILLIARD DUNKLIN, III, OF GREENVILLE, ALABAMA.

Also:

HJR 173. COMMENDING THE DEMOPOLIS ACADEMY GENERALS ON THEIR STATE FOOTBALL CHAMPIONSHIP.

Also:

HJR 153. COMMENDING HOUSTON ACADEMY'S BASKETBALL TEAMS FOR OUTSTANDING ACHIEVEMENT.

Also:

HJR 164. COMMENDING DALE T. GARNER OF BREWTON, ALABAMA, ON HIS OUTSTANDING CAREER IN THE FIELD OF EDUCATION.

Also:

HJR 248. COMMENDING THE U.S. ARMY AVIATION CENTER'S AIRCRAFT MAINTENANCE TEAM.

Also:

HJR 253. DESIGNATING SEPTEMBER 6, 1991, AS "TROPICAL FISH DAY" IN ALABAMA.

Also:

HJR 260. COMMENDING GEORGE PERDUE OF BIRMINGHAM, ALABAMA, UPON HIS ELECTION AS CHAIRMAN OF THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

HJR 215. HONORING JERRY D. AND GLADYS COLEMAN OF FAIRFIELD, ALABAMA, FOR DISTINGUISHED SERVICE TO EDUCATION AND TO THE COMMUNITY.

Also:

HJR 218. COMMENDING JIMMY JUNKINS OF GULF SHORES, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

HJR 219. COMMENDING LEE INGRAM AND LESLIE NELSON FOR OUTSTANDING HEROISM.

Also:

HJR 220. COMMENDING MELVIN E. SUMMERLIN OF SELMA, ALABAMA, ON HIS DISTINGUISHED LAW ENFORCEMENT CAREER.

Also:

HJR 222. DESIGNATING "SCHOOL SUPPORT PERSONNEL WEEK" IN ALABAMA.

Also:

HJR 226. COMMENDING MEADOWVIEW ELEMENTARY SCHOOL ODYSSEY OF THE MIND TEAM.

Also:

HJR 227. COMMENDING MEADOWVIEW ELEMENTARY SCHOOL ODYSSEY OF THE MIND TEAM.

Also:

HJR 228. COMMENDING MORGAN ACADEMY ODYSSEY OF THE MIND TEAM.

Also:

HJR 229. MOURNING THE DEATH OF WILLIAM H. ARMBRECHT OF MOBILE, ALABAMA.

Also:

HJR 232. COMMENDING NEAL MIXSON HARDWICK FOR OUTSTANDING ACHIEVEMENT IN FUTURE BUSINESS LEADERS OF AMERICA.

Also:

HJR 233. COMMENDING SHARON DENISE RODGERS FOR OUTSTANDING ACHIEVEMENT IN FUTURE BUSINESS LEADERS OF AMERICA.

Also:

HJR 235. COMMENDING EARNEST L. COLVIN FOR DISTINGUISHED SERVICE TO THE ALABAMA PUBLIC SCHOOLS.

Also:

HJR 236. MOURNING THE DEATH OF EMMA KAHALLEY ZOGHBY OF MOBILE, ALABAMA.

Also:

HJR 237. COMMENDING LIVINGSTON UNIVERSITY ON THE 1991 GULF SOUTH CONFERENCE SOFTBALL CHAMPIONSHIP.

Also:

HJR 242. COMMENDING LESTER HENDERSON OF MONTGOMERY, ALABAMA, PSI 1991 EXECUTIVE OF THE YEAR.

Also:

HJR 246. COMMENDING THE HOUSTON ACADEMY LADY RAIDERS ON THE CLASS 1A-4A STATE TENNIS CHAMPIONSHIP.

Also:

HJR 247. CONGRATULATING THE ASHFORD ACADEMY LADY FALCONS ON THE AISA STATE CLASS 2A SOFTBALL CHAMPIONSHIP.

Also:

HJR 264. COMMENDING ALBERT G. MORTON OF BIRMINGHAM, ALABAMA, FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE.

Also:

HJR 277. COMMENDING LAURA V. HALL OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING SERVICE AS PRESIDENT OF THE HUNTSVILLE EDUCATION ASSOCIATION.

Also:

HJR 284. NAMING "VETERANS MEMORIAL PARKWAY" IN

GREENVILLE, ALABAMA.

Also:

HJR 297. COMMENDING THE HARTSELLE HIGH SCHOOL TIGERS ON THE 1991 STATE CLASS 5A BASEBALL CHAMPIONSHIP.

Also:

HJR 292. MOURNING THE DEATH OF WILLIAM J. DIFFLEY OF MOBILE, ALABAMA.

Also:

HJR 295. MOURNING THE DEATH OF BOBBY LEE AUSTIN OF GADSDEN, ALABAMA.

Also:

HJR 298. COMMENDING WILLIAM F. ARENDALE FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE TO THE UNIVERSITY OF ALABAMA IN HUNTSVILLE.

Also:

HJR 302. RECOGNIZING THE CENTENNIAL CELEBRATION OF THE TOWN OF ASHFORD IN HENRY COUNTY, ALABAMA.

Also:

HJR 305. COMMENDING ROY M. "BUBBA" CADDELL, JR., OF PRATTVILLE, ALABAMA.

Also:

HJR 306. COMMENDING JUDY HAYES OF DUNCANVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

HJR 308. COMMENDING JERRI MCLAIN FOR DISTINGUISHED SERVICE AS A MEMBER OF THE ALABAMA EDUCATIONAL TELEVISION COMMISSION, 1970-1991.

Also:

HJR 309. COMMENDING VAUGHAN REGIONAL MEDICAL CENTER, SELMA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND SERVICE.

Also:

HJR 310. MOURNING THE DEATH OF THE REVEREND WILLIAM COMER AUTREY OF OZARK, ALABAMA.

Also:

HJR 403. COMMENDING SUSAN MADDUX COSBY FOR OUTSTANDING SERVICE TO THE GOVERNOR'S OFFICE AND WISHING HER EVERY FUTURE CAREER SUCCESS.

Also:

HJR 404. PROCLAIMING 1992 AS THE YEAR OF THE GULF AND ENDORSING THE COOPERATIVE EFFORTS OF THE GULF OF MEXICO PROGRAM TO SOLVE THE ENVIRONMENTAL PROBLEMS OF THE GULF OF MEXICO.

Also:

HJR 119. COMMENDING THE DECATUR HIGH SCHOOL LADY RED RAIDERS ON THE 1991 STATE CLASS 6A BASKETBALL CHAMPIONSHIP.

And on motion of Senator Preuitt, said Resolutions, HJR's 92, 96, 98, 118, 122, 125, 129, 131, 138, 141, 152, 166, 167, 168, 170, 171, 172, 173, 153, 164, 248, 253, 260, 215, 218, 219, 220, 222, 226, 227, 228, 229, 232, 233, 235, 236, 237, 242, 246, 247, 264, 277, 284, 297, 292, 295, 298, 302, 305, 306, 308, 309, 310, 403, 404, and 119, were concurred in and adopted by the Senate.

Senator Preuitt, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

HJR 397. NAMING THE NEW BRIDGE OVER CHOCTAWHATCHEE RIVER ON THE BEE LINE HIGHWAY IN DALE COUNTY, ALABAMA, IN HONOR OF THE LATE JUDGE LEWE

FRANK SESSIONS.

And on motion of Senator Preuitt said Resolution, HJR 397, was concurred in and adopted by the Senate.

FURTHER CONSIDERATION OF SB 459

The Senate proceeded to further consideration of the Bill, SB 459. The question was on the motion of Senator Bennett that the Senate concur in and adopt the House amendment to the Bill, SB 459.

Which motion was adopted.

Yeas 20 Nays 4

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Denton, Ellis, Foshee, Ghee, Hilliard, Langford, Lindsey, Lipscomb, Little, Owens, Preuitt, Sanders, Smith (B), Smith (J), Wilson, and Windom -20

Nays:

Senators:

Amari, Corbett, Dixon, and Mitchell - 4

BUDGET ISOLATION RESOLUTION

Senator Dixon requested and received permission to suspend the Rules in order to bring up the Bill, SB 343.

Senator Dixon, B.I.R., SB 343, adopted.

Yeas 18 Nays 2

Yeas:

Senators:

Amari, Bennett, Bolling, Campbell, Dixon, Ellis, Foshee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Smith (B), Smith (J), Wilson, and Windom -18

Nays:

Senators:

Ghee and Sanders - 2

BILLS ON THIRD READING RESUMED

THE BILL:

S. 343. To create a new circuit judgeship in the tenth judicial

circuit, Bessemer cut-off division; and to provide for the election, authority and compensation of such judge.

was taken up.

Senator Dixon offered the following substitute for the Bill, SB 343, to-wit:

SUBSTITUTE FOR SB 343

A B I L L T O B E E N T I T L E D A N A C T

To create a new circuit judgeship in the tenth judicial circuit, Bessemer cut-off division; to create one additional circuit judgeship in the fifteenth judicial circuit; and to provide for the election, authority and compensation of such judges.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created an additional judgeship for the tenth judicial circuit, which shall be designated Judgeship Number 25 and which shall serve the Bessemer cut-off division. Also, there is hereby created one additional circuit judgeship in the fifteenth judicial circuit; one shall be a circuit court judgeship. The judgeships hereby created shall be filled at the general election in 1992 and the persons so elected shall assume office in January 1993. Every six years thereafter, judges shall be elected to fill such judgeship at the general election.

Section 2. The judges elected as provided in Section 1 of this act shall have and shall exercise all the jurisdiction, power, right and authority reserved to circuit judges; shall possess all of the qualifications required of circuit judges; shall perform all of the duties required of circuit judges and shall be subject to all of the pains and penalties of such judicial offices.

Section 3. The compensation of such judges shall be the same as and paid under the same circumstances as that of the other circuit judges in their circuits, including the payment of any county salary supplement or expense allowance.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Senator Owens offered the following amendment to the substitute for the Bill, SB 343, to-wit:

AMENDMENT TO SB 343

Amend Senate Bill No. 343 Page 1 Line 11, as follows:

By adding the following after the word "circuit", "and one additional circuit judge for the nineteenth judicial circuit and the residency requirements for the circuit judge of the nineteenth judicial circuit."

And further amend SB 343 line 21, after the semicolon by adding the following new sentence: "to create one additional new circuit judgeship in the nineteenth judicial circuit which shall be designated Judgeship No. 3,"

And further amend SB 343, page 1, line 31 after the period and insert the following: "There is hereby created an additional circuit judgeship for the nineteenth judicial circuit which shall be designated Judgeship No. 3. The Judge occupying Judgeship No. 3 shall be a resident of Chilton County.

And further amend SB 343, page 2, line 2, by adding the following Section 2 and renumbering the following sections accordingly.

"Section 2. In the Nineteenth Judicial Circuit affective upon passage of this Act, the judge occupying Judgeship No. 1 shall be a resident of Elmore County and the judge occupying Judgeship No. 2 shall be a resident of Autauga County."

Which was adopted.

And said substitute, as thus amended, was adopted.

Yeas 19 Nays 2

Yeas:

Senators:

Bennett, Bolling, Campbell, Dixon, Figures, Foshee, Ghee, Hilliard,

Horn, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons,
Preuitt, Wilson, and Windom -19

Nays:

Senators:

Bedsole and Sanders - 2

And said Bill, SB 343, as amended by the substitute, as amended,
was read a third time at length and passed, and ordered sent forthwith to
the House upon engrossment.

Yeas 16 Nays 3

Yeas:

Senators:

Bennett, Campbell, Corbett, Dixon, Ellis, Figures, Foshee, Ghee,
Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, and
Preuitt -16

Nays:

Senators:

Bedsole, Sanders, and Windom - 3

On motion of Senator Bennett, the provisions of Rule 35 (b) were
suspended to allow transmittal to the House of the Bill, SB 343.

FURTHER CONSIDERATION OF REPORT FROM CONFIRMATIONS

The Senate proceeded to further consideration of the report from
the Standing Committee on Confirmations relative to the election of Dr.
Henry J. Hector as executive director of the Alabama Commission on
Higher Education.

On motion of Senator Corbett, the election of Dr. Hector was
confirmed by the Senate.

Yeas 23 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Foshee,
Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens,
Parsons, Preuitt, Sanders, Smith (B), Smith (J), Wilson, and
Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, SB 675.

Senator Sanders, B.I.R., SB 675, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 675. To provide for an appropriation from the Alabama Special Educational Trust Fund to the Dallas County Board of Education (Salem Elementary School) for the fiscal year ending September 30, 1992.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 23 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Wilson, and Windom -23

Nays:

- 0

On motion of Senator Sanders, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 675.

BUDGET ISOLATION RESOLUTION

Senator Corbett requested and received permission to suspend the

Rules in order to bring up the Bill, HB 509.

Senator Corbett, B.I.R., HB 509, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 509. To amend Section 12-17-81, Code of Alabama 1975, relating to salaries of the circuit clerks of this state; and to provide an effective date of October 1, 1992 for the provisions of this act.

was read a third time at length and passed.

Yeas 20 Nays 1

Abstaining 1

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Dixon, Foshee, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, and Windom -20

Nay: Senator Sanders

- 1

Abstaining: Senator Little

- 1

BUDGET ISOLATION RESOLUTION

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill, SB 412.

Senator Langford, B.I.R., SB 412, adopted.

Yeas 20 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Ellis, Figures, Ghee, Langford, Lindsey, Little, Mitchell, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 412. To amend Section 12-18-87 of the Code of Alabama 1975, relating to probate judges' retirement benefits, so as to provide further for said probate judges' retirement benefits.

was taken up.

The Standing Committee on Governmental Affairs/Local Government reported the following substitute for the Bill, SB 412, to-wit:

SUBSTITUTE FOR SB 412

**A B I L L
T O B E E N T I T L E D
A N A C T**

To amend Section 12-18-87 of the Code of Alabama 1975, relating to probate judges' retirement benefits, so as to provide further for said probate judges' retirement benefits.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-18-87 of the Code of Alabama 1975, is hereby amended to read as follows:

"§12-18-87.

"(a) Judges' retirement benefits. -- The annual retirement benefit payable to a probate judge retiring pursuant to subdivisions (2), (3), (4), and (5) of section 12-18-84 shall be ~~65~~ 75 percent of the base sum or salary upon which such judge is paying the percentage as provided in subsection (a) or subsection (b) of section 12-18-82 immediately prior to retirement. Such retirement benefit shall be payable monthly from the

state treasury for the life of the beneficiary, and shall continue to be 75 percent of the salary then prescribed by law for the respective position and shall change in amount as such salary is hereafter increased and decreased by law and shall not be subject to writs of attachment or garnishment.

"(b) Spouses' benefits. -- After the death of any probate judge who has held office for a minimum of five years, his or her spouse shall receive a yearly benefit from the state treasury equivalent to the greater of \$1200.00 per year, multiplied by the number of years of service, not to exceed 10 years, or three percent of the base sum or salary upon which such probate judge was paying the percentage as provided in subsection (a) or subsection (b) of section 12-18-82 immediately prior to retirement, multiplied by the number of years service, not to exceed 10 years, payable monthly for the remainder of such spouse's life or until his or her remarriage.

"(c) Judges' disability benefits. -- Any probate judge retiring pursuant to subdivision (1) of section 12-18-84, who has served for 10 years or more shall be entitled to a disability benefit allowance payable monthly from the judicial retirement fund equal to 75 percent of the base sum or salary specified in subsection (a) or (b) of section 12-18-82 applicable at the time of retirement. If such disabled probate judge has served less than 10 years, he shall be entitled to receive from the state treasury a monthly disability benefit that is equal to 25 percent of such base sum or salary plus 10 percent of such base sum or salary for each year of service in excess of five years; provided, however, that in no event shall such justice or judge receive less than 30 percent of the annual salary being paid to a full-time probate judge, as the case may be, from the state treasury.

"(d) Minimum age for receipt of retirement benefits, etc. -- Any provision of this article to the contrary notwithstanding, a probate judge shall not be eligible to retire on service or otherwise receive service retirement benefits on account of his participation in said fund unless such member shall have attained 60 years of age; provided, however, that nothing in this subsection shall be construed as limiting, altering or amending existing provisions of law relating to eligibility for entitlement to disability benefits."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Ellis, Figures, Ghee, Langford, Lindsey, Little, Mitchell, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nays:

- 0

And said Bill, SB 412, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 22 Nays 3

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Figures, Floyd, Ghee, Langford, Lindsey, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -22

Nays:

Senators:

Dixon, Foshee, and Little

- 3

On motion of Senator Langford, the provisions of Rule 35 (b) were suspended to allow transmittal to the House, of the Bill, SB 412.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

S. 27. To amend Section 33-4-38, Code of Alabama 1975, which provides for the levy, payment and disposition of ship pilot's license tax, so as to increase the amount thereof.

JIM PREUITT,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills and finds same correctly engrossed, to-wit:

S. 160. To provide an 18.8% increase in judicial retirement benefits beginning in October of 1992, for those retired district judges who assumed the office of district judge prior to July 30, 1979, and who retired before October 1, 1991; to provide that the board of control of the employees' retirement system shall compute the costs required and provide for payment of such amounts from the judicial retirement fund; to provide for an appropriation from the state general fund to cover the cost of the increase in benefits; to provide that this act shall supersede any inconsistent and conflicting laws; to provide that the increase shall not increase any local supplement or retirement benefits for retired district judges unless approved by the county commission affected; and to provide for an effective date.

Also:

S. 578. To create "The Tractor, Farm Equipment, Lawn and Garden and Light Industrial Equipment Franchise Act" in order to provide for the fair regulation of tractor, farm equipment, lawn and garden and light industrial equipment manufacturers, distributors, wholesalers, dealers, and their representatives; to provide for the regulation of dealings and transactions between manufacturers and distributors or wholesalers and their dealers; to prohibit unfair and deceptive trade practices; to protect the freedom to contract; to prescribe remedies for violations of the provisions of the act; and to repeal Section 8-21-1 through 8-21-14, Code of Alabama 1975.

JIM PREUITT,
Chairperson.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, and finds same correctly enrolled, to-wit:

SJR 132. COMMENDING FRANK BRUER, CAPITAL CORRESPONDENT FOR THE BIRMINGHAM POST HERALD, ON HIS DISTINGUISHED CAREER, AND NAMING THE STATE HOUSE PRESS ROOM IN HIS HONOR.

Also:

SJR 134. COMMENDING DR. DAVID L. WALTERS ON HIS RETIREMENT AS DIRECTOR OF BANDS AT JACKSONVILLE STATE UNIVERSITY.

Also:

SJR 136. COMMENDING JIMMIE LEE DAVIS OF MONTGOMERY, ALABAMA, FOR HIS DEDICATED COMMITMENT TO GOD, FAMILY AND COMMUNITY.

Also:

SJR 137. COMMENDING COACH WILLIAM R. LANKFORD OF JEFFERSON STATE COMMUNITY COLLEGE AND NAMING THE GYMNASIUM IN THE LEROY BROWN BUILDING "THE WILLIAM R. LANKFORD GYMNASIUM."

Also:

SJR 138. COMMENDING PHILIP A. SELLERS OF MONTGOMERY, ALABAMA.

Also:

SJR 139. EXPRESSING THE WILL AND INTENT OF THE PEOPLE OF ALABAMA THAT THE PIPELINE PROPOSALS, KNOWN AS DOCKET NOS. CP89-522 AND CP89-523, PENDING BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION, BE APPROVED IN A TIMELY MANNER.

Also:

SJR 141. COMMENDING HENRY RAND FOR LONGTIME AND DISTINGUISHED SERVICE AS TAX COLLECTOR FOR COLBERT COUNTY.

Also:

SJR 142. COMMENDING JAMES HUGHES OF COTTONWOOD, ALABAMA.

Also:

SJR 143. AUTHORIZING THE JOINT FISCAL COMMITTEE TO EMPLOY LEGAL COUNSEL TO DEFEND AGAINST, INTERVENE IN OR INITIATE LEGAL PROCEEDINGS CONCERNING THE LEGISLATIVE BUDGET PROCESS.

Also:

SJR 146. URGING CONGRESS TO MAINTAIN THE DUAL BANKING SYSTEM AND TO PRESERVE STATES' RIGHTS IN ANY BANKING REFORM LEGISLATION.

Also:

SJR 147. TO PROVIDE FOR DIRECTIONAL SIGNS FOR THE MONTGOMERY STATE FARMERS MARKET.

Also:

SJR 148. COMMENDING THE HONORABLE HUGH EDWIN HOLLADAY, PRESIDING CIRCUIT JUDGE THIRTEENTH JUDICIAL CIRCUIT, ON THE OCCASION OF HIS JUDICIAL RETIREMENT.

JIM PREUITT,
Chairperson.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed

the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BUDGET ISOLATION RESOLUTION

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, SB 180.

Senator Windom, B.I.R., SB 180, adopted.

Yeas 24 Nays 1

Yeas:

Senators:

Bailey, Bolling, Campbell, Corbett, Denton, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuit, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-24

Nay: Senator Sanders

- 1

BILLS ON THIRD READING RESUMED

THE BILL:

S. 180. To propose that those responsible for criminal activity may, when they have the financial ability to do so, be required by the court to make payments to a local crime stoppers program to help pay for crime stoppers' rewards.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 24 Nays 1

Yeas:

Senators:

Bailey, Bolling, Campbell, Corbett, Denton, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuit, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-24

Nay: Senator Sanders

- 1

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 180.

BUDGET ISOLATION RESOLUTION

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill, HB 658.

Senator Corbett, B.I.R., HB 658, adopted.

Yeas 24 Nays 1

Yeas:

Senators:

Bailey, Bolling, Campbell, Corbett, Denton, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-24

Nay: Senator Sanders

- 1

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 658. To authorize certain employers to purchase workers' compensation insurance with a deductible provision.

was read a third time at length and passed.

Yeas 24 Nays 1

Yeas:

Senators:

Bailey, Bolling, Campbell, Corbett, Denton, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-24

Nay: Senator Sanders

- 1

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

SR 152. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following in the order named shall be the paramount and continuing order of business taking

precedence over all other matters for the twenty-eighth legislative day of the 1991 Regular Session only:

1. Committee Reports, except the committee on confirmations
2. House Messages
3. Local Bills

On motion of Senator Preuitt, the Resolution was adopted by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Floyd, B.I.R., SB 310, adopted.

Yeas 24 Nays 1

Yeas:

Senators:

Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -24

Nay: Senator Sanders

- 1

FURTHER CONSIDERATION OF SB 310

The Senate proceeded to further consideration of the Bill:

S. 310. To provide for the creation of a comprehensive statutory formulation of personal property leasing laws including the formation and construction, effect and performance of a lease contract; default by the lessor and lessee and general provisions. To amend Sections 7-1-105 of the Code of Alabama 1975, so as to include this act; to amend Section 7-1-201 of the Code of Alabama 1975, so as to revise the definition of "security interest"; to amend Section 7-9-113 of the Code of Alabama 1975, so as to include security interest arising under this act; to amend Sections 35-4-54 and 35-4-94 of the Code of Alabama 1975 so as to exclude leases; and to provide that this act will become effective January 1, 1992.

having been postponed on the Twenty-Seventh Legislative Day, was taken up.

On motion of Senator Floyd, the Rules were suspended and further consideration of the Bill, SB 310, was postponed subject to the call of the Chair.

BILLS ON THIRD READING RESUMED

Senator Campbell requested and received permission to suspend the Rules in order to bring up the Bill:

S. 659. Authorizing the property inventory control division of the state auditor's office to automate the property inventory control system of the state and to charge and collect from each state department or agency for its inventory services on state personal property authorized under Section 36-16-8 of the Code of Alabama 1975; authorizing the state auditor to promulgate administrative rules and procedures for automating and for charging and collecting for such inventory services and providing that the proceeds from such charges shall be deposited in a special state property control fund in the state treasury to be used to support the property inventory control functions of the state auditor's office; creating the special fund in the state treasury to which such charges will be deposited; and making an appropriation to the auditor's office from that fund for the fiscal year ending September 30, 1991 and September 30, 1992.

On motion of Senator Campbell, the Rules were suspended and further consideration of the Bill, SB 659, was postponed subject to the call of the Chair.

REPORTS OF COMMITTEES RESUMED

Senator Windom, Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Gaines and Carns:

H. 29. To provide a means whereby any insurer organized under the laws of any other state may become a domestic insurer; to provide a means for any domestic insurer to transfer its domicile to another state; and to provide a means for the continuation of a certificate of authority and other approvals pertaining to any foreign insurer which transfers its corporate domicile to another state by merger or consolidation or any other lawful method.

By Reps. McMillan, Kvalheim, and Hooper:

H. 482. To provide for mandatory errors and omissions insur-

ance coverage for all active real estate licensees; to authorize the real estate commission to contract for such coverage in compliance with state competitive bid laws; to allow optional coverage by any insurance carrier which meets minimum standards; to provide that no such coverage shall be required when it is not available at a reasonable premium and to authorize such commission to promulgate and implement administrative rules and procedures to carry out the provisions of this act.

Senator Preuitt, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Thomas, Buskey (JL), Warren, Bryant, Black (L), and Zoghby:

H. 531. To authorize the Secretary of State to employ an additional employee.

By Reps. Holley, Harper, Layson, Drake, Butler, Richardson, Smith (R), Biddle, Rich, McKee, McMillan, Knight, Hill, Payne, Morton, Poole, Turner, Petelos, Gaines, Sanderson, Haney, Hall, Cullins, White, Willis, Mikell, Carothers, Laird, Hammett, Flowers, Williams, Kennedy, Clark (W), Mathis, Starkey, Carns, Sanderford, McDaniel, Hamilton, Cosby, Blakeney, Powell, Harvey, Venable, Penry, Hooper, Crow, Beasley, Newton (C), Melton, Lindsey, Goodwin, Turnham, Letson, Bowling, Haynes, Warren, Johnson, Dolbare, Bryant, Black (L), Cagle, Parker (T), Kvalheim, Gaston, Rockhold, Higginbotham, Gullatt, Hogan, Curry, Ford, Morrow, Millican, Spratt, Newman, Escott-Russell, McClain, Zoghby, Burke, Hawkins, Parker (P), Freeman, Clay, and Rogers (F):

H. 548. To amend Act No. 90-764 passed in the 1990 Regular Session which makes appropriations for ordinary expenses of the executive, legislative and judicial departments of the State by increasing the appropriation from the "Earmarked Funds" to the Department of Revenue and providing for a transfer of funds from the Department of Revenue to the Departmental Emergency Fund for the fiscal year ending September 30, 1991.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable

report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Campbell:

H. 99. To amend section 22-21-5 of the Code of Alabama 1975, to grant to public bodies organized under the said section the powers of health care authorities organized under Article 11 of chapter 22 of the Code of Alabama 1975.

By Reps. Johnson and Beasley:

H. 153. To add a Section 34-23-75, Code of Alabama 1975, Alabama Pharmacy Practice Act, which would allow licensed pharmacists to refill a prescription for up to a 72 hour supply, when they are unable to obtain refill authorization from the prescriber.

By Reps. Newton (C), Johnson, Beasley, Carothers, Mathis, Warren, Mikell, and Black (L):

H. 287. To address the nursing shortage affecting the Alabama Department of Public Health in rural areas by providing for loans for books, tuitions, fees, and other educationally-related expenses incurred by employees of the Alabama Department of Public Health attending nursing school on a part-time or full-time basis; to require such loan recipients to enter into a contract committing them to work as nurses full-time for the health department or for a federally-funded community health center in a rural area or underserved area of the state for at least four years; to provide for forgiveness of such loans for recipients who serve the health department in rural or underserved areas; to provide civil penalties for loan recipients who fail to honor the contract; to provide for full-time or part-time employment for such recipients while attending school.

By Reps. Poole, Beasley, Johnson, Haynes, Mathis, and Layson:

H. 718. To amend Sections 36-30-20 and 36-30-21, Code of Alabama 1975, so as to extend the coverage of benefits for "Policemen's Occupational Diseases" to other law enforcement officers.

Senator Parsons, Chairperson of the Standing Committee on Judiciary/Civil, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Holladay:

H. 593. To amend sections 30-3-61 and 30-3-62, Code of Alabama 1975, relating to child support withholding orders, so as to require the employer to remit to the clerk of the court, the department, or its designee the child support withheld within 10 days of the date the obligor is paid; to provide that payments withheld shall be paid over by the employer in accordance with section 30-3-61(b), Code of Alabama 1975; to specify the requirements for termination of withholding orders; and to require prompt termination of withholding when criteria are met; to amend section 30-3-94, Code of Alabama 1975, relating to the Interstate Income Withholding Act, so as to provide for immediate wage withholding on interstate child support cases.

By Reps. Biddle, Payne, and Sanderson:

H. 650. To amend Section 40-10-6, Code of Alabama 1975, relating to publication of certain notices of sale of land for payment of taxes, so as to require such legal notices regarding such sales inserted in a newspaper shall be listed by name in alphabetical sequence.

Senator Denton, Chairperson of the Standing Committee on Governmental Affairs/Local Government, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Curry, Newton (D), Petelos, Perdue, McClain, Buskey (JL), McDowell, Fuller, Hawkins, and Gullatt:

H. 515. To amend Section 22-3-1 of the Code of Alabama 1975, relating to how county boards of health are constituted, so as to authorize the presiding officer of each county commission to appoint a county commissioner to serve as a member on said boards in lieu of the presiding officer.

By Reps. Carothers, Mathis, and Beasley:

H. 357. To amend Section 11-88-5 of the Code of Alabama 1975, as amended, relating to the authorization and procedure for amendment of the certificate of incorporation of water, sewer and fire protection authorities with a service area that lies solely within one determining county so as to permit changes in the number of directors of such authorities to any odd number thereof that the board shall deem appropriate, and to provide that the total number of directors of any such

authority shall be not less than three or more than five; to validate the membership of the boards of directors of all such authorities as are presently in existence; and to provide an effective date.

Senator deGraffenried, Chairperson of the Standing Committee on Public Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Hooper, Sanderson, Hawkins, Gaines, Fuller, and Knight:

H. 85. Relating to immunity from civil liability while in volunteer service without compensation for a nonprofit organization or corporation or governmental entity; to provide that any public or community service volunteer without compensation shall be immune from civil liability in any civil action on the basis of any act or omission of such volunteer resulting in damage or injury if said volunteer was acting in good faith within the scope of his official functions and such damage or injury was not caused by willful or wanton misconduct; to provide that the responsibility of an established act or omission of a volunteer shall be the responsibility of the principal organization under the doctrine of "respondeat superior."

By Reps. Zoghby and Payne:

H. 141. To amend Section 12-15-61, Code of Alabama 1975, relating to certain facilities used for detention and shelter care of children, so as to provide further for such detention and shelter care and to provide for subsidy by the state of certain costs thereof, effective October 1, 1991.

Senator Mitchem, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Beasley, White, Johnson, Mikell, Richardson, Laird, Carter, Carothers, Mathis, Thomas, Williams, Warren, Newton (C), Haynes, Flowers, Hall, Clay, Cosby, Kvalheim, Smith (C), Bowling, and Knight:

H. 293. Relating to unemployment compensation; to amend Section 25-4-32 of the Code of Alabama 1975, so as to make indefinite

the authority to requisition certain funds credited to the state's trust fund account in the United States treasury pursuant to Section 903 of the Social Security Act in compliance with a recent congressional amendment; to amend sections 25-4-40 and 25-4-54, Code of Alabama 1975, so as to extend the Employment Security Administration Enhancement Act through December 31, 1994; to make permanent the provisions for relief to certain employees affected by a declared natural disaster and to clarify the procedure for determining shared costs.

Senator Ghee, Chairperson of the Standing Committee on Constitution and Elections, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Black (L), Blakeney, and Dolbare:

H. 359. To repeal Sections 16-9-5, 16-9-6 and 16-9-7 of the Code of Alabama 1975, relating to the nomination by political parties, primary election to nominate and instructions on the ballot of county superintendents of education.

By Rep. Campbell:

H. 100. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1989 Special Session and the 1990 Regular Session of the Legislature, as contained in the 1990 Cumulative Supplement to certain volumes of the Code and in the 1990 Replacement Volume 14 of the Code; and to make corrections in certain volumes of such cumulative supplement.

BUDGET ISOLATION RESOLUTION

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill, HB 280.

Senator Little, B.I.R., HB 280, adopted.

Yeas 17 Nays 1

Yeas:

Senators:

Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, and Waggoner

-17

Nay: Senator Sanders

- 1

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 280. To require an additional fee for licensure and renewal of licenses as a general contractor and providing that the revenue derived from such additional fees shall be distributed to institutions of higher education offering certain courses of study.

was read a third time at length and passed.

Yeas 17 Nays 1

Yeas:

Senators:

Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, and Waggoner -17

Nay: Senator Sanders

- 1

BUDGET ISOLATION RESOLUTION

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill, SB 199.

Senator Bailey, B.I.R., SB 199, adopted.

Yeas 17 Nays 1

Yeas:

Senators:

Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, and Waggoner -17

Nay: Senator Sanders

- 1

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 199. To provide for counselling and therapy for sworn law enforcement officers in the State of Alabama who suffer from stress of any nature as a result of any work-related trauma; and to provide that such counselling and therapy be provided under the terms of the mental health services contracts between the Alabama Department of Mental

Health and Mental Retardation and community programs.

was taken up.

The Standing Committee on Governmental Affairs/Local Government reported the following substitute for the Bill, SB 199, to-wit:

SUBSTITUTE FOR SB 199

**A B I L L
T O B E E N T I T L E D
A N A C T**

To provide for counselling and therapy for sworn law enforcement officers in the State of Alabama who suffer from stress of any nature as a result of any work-related trauma to an extent that it interferes with their ability to effectively carry out their duties and to provide that such counselling and therapy be made available under the terms of the mental health and substance abuse services contracts between the Alabama Department of Mental Health and Mental Retardation and community programs to the extent that public funds may be made available for such services.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known as the "Law Enforcement Officers Stress Treatment Act."

Section 2. For purposes of this act, the following terms shall have the respective meanings ascribed by this section:

(1) **COMMUNITY PROGRAM.** Any agency, organization, corporation, or other entity, other than a facility of the Department of Mental Health and Mental Retardation of the State of Alabama, which by contract or grant receives funds from such department for the provision of mental health and substance abuse community-based, general out-patient services in any area of the State of Alabama, but not such agencies, organizations, or corporations solely providing services to the mentally retarded, and no provision of this act shall be construed to require that a program herein defined provide services which lie beyond the scope of the expertise of the existing staff of such program.

(2) **LAW ENFORCEMENT OFFICERS.** Any and all sworn officers of any police department, sheriffs and their deputies, state

troopers, or any other employee of any state, county or municipal agency which employee has arrest powers under the laws of the State of Alabama.

(3) **STRESS.** Any emotional disturbance, substance abuse problem or any mental condition, which, in the judgment of a mental health or substance abuse professional is a result of work-related trauma, and interferes with the law enforcement officer's effective execution of his duties.

(4) **THERAPY OR TREATMENT.** Services of a licensed psychologist and/or psychiatrist or other appropriate mental health or substance abuse professional who is employed by a community program, provided for a period of time and with such frequency as to render therapeutic results in the treatment of any law enforcement officer for stress as previously defined herein.

(5) **WORK-RELATED TRAUMA.** Any event or circumstance which occurs while a law enforcement officer is on duty or in the performance of his duties, including, but not limited to, traffic accidents, shootings, assaults, or other actions taken by, against, or in the presence of such law enforcement officer, which said event or circumstance causes physical injury to such officer or to anyone in his presence, or which creates a reasonable apprehension by such officer of serious physical injury.

Section 3. Any law enforcement officer who, in his judgment, suffers from stress resulting from work-related trauma may request therapy or treatment from any community program. The date of occurrence of any such work-related trauma shall not affect in any way the provision of therapy or treatment hereunder. The provision of such therapy or treatment shall be based solely upon the need for such, as determined by the appropriate mental health or substance abuse professionals.

Section 4. The cost of any therapy or treatment provided hereunder shall be consistent with the terms and conditions as specified in contracts and grants between the Department of Mental Health and Mental Retardation and such community programs as previously described herein. The law enforcement officer shall not suffer any depletion in pay, sick leave, annual leave, or otherwise. Any time spent by such officer in actual treatment, travelling to or from such treatment, or any time away from work which is in any way therapeutic in the judgment of the treating professional shall be treated as time spent on duty by such officer for all purposes, including, but not limited to, pay,

annual leave, sick leave, promotion, seniority and longevity.

Section 5. Therapy or treatment provided hereunder shall continue in such manner and under such circumstances as are deemed appropriate by the treating professional and shall continue until such time as the treating professional shall release such officer from active treatment. The employer of such officer shall cooperate with such treatment and shall in no way interfere with such treatment.

Section 6. All information provided by any law enforcement officer receiving therapy or treatment hereunder shall be strictly confidential and absolutely privileged. No information provided by such officer to anyone hereunder shall be admissible for any purpose in any court, agency hearing, job action, or otherwise for any purpose unless expressly and voluntarily released in writing by such officer or ordered by a court of competent jurisdiction. Neither the request by any such officer for therapy or treatment hereunder nor the receipt of such, shall be used in any way to affect his employment, pay or promotion.

Section 7. The Department of Mental Health and Mental Retardation shall make available, upon request, a list of all community programs as defined herein.

Section 8. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Standing Committee on Governmental Affairs/Local Government then reported the following amendment to the substitute for the Bill, SB 199, to-wit:

AMENDMENT TO SUBSTITUTE FOR SB 199

Amend the substitute for Senate Bill No. 199, as follows:

delete in its entirety the sentence beginning on page 3, line 16, and concluding on page 3, line 18.

Further amend on page 3, lines 22 through 24 by striking out the remaining portion of the sentence following the word "treated", on line 22, and inserting in lieu thereof the following:

"the same as time lost due to any other medical disability as provided through their existing personnel policy."

Which was adopted.

And said substitute, as thus amended, was adopted.

Yeas 17 Nays 1

Yeas:

Senators:

Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, and Waggoner -17

Nay: Senator Sanders

- 1

And said Bill, SB 199, as amended by the substitute, as amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 17 Nays 1

Yeas:

Senators:

Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, and Waggoner -17

Nay: Senator Sanders

- 1

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow the transmittal to the House of the Bills, SB's 48 and 199.

BUDGET ISOLATION RESOLUTION

Senator Ellis requested and received permission to suspend the Rules in order to bring up the Bill, SB 12.

Senator Ellis, B.I.R., SB 12, adopted.

Yeas 17 Nays 1

Yeas:

Senators:

Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee,
Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt,
and Waggoner -17

Nay: Senator Sanders

- 1

BILLS ON THIRD READING RESUMED

THE BILL:

S. 12. Providing that it shall be unlawful to discharge a fire-arm without certain permission within a certain distance of a school or occupied house, residence or dwelling and prescribing penalty for such offense.

was taken up.

Senator Ellis offered the following amendment to the Bill, SB 12, to-wit:

AMENDMENT TO SB 12

Amend Senate Bill No. 12 Page 1 Line 26, as follows: by striking the words "or occupied house, residence or dwelling" and on page 1 line 28 and 29 by striking the words "or the owner of such house, residence or dwelling, as the case may be."

Which was adopted.

Yeas 17 Nays 1

Yeas:

Senators:

Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee,
Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt,
and Waggoner -17

Nay: Senator Sanders

- 1

And said Bill, SB 12, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 17 Nays 1

Yeas:

Senators:

Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee,
Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt,
and Waggoner -17

Nay: Senator Sanders

- 1

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow the transmittal to the House of the Bill, SB 12.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 534. To authorize certain state instrumentalities or agencies to purchase and pay for group health, accident or hospitalization insurance coverage for its officers and employees and to contract with the State Employees Insurance Board to provide such insurance coverage.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hooper, Johnson, Curry, Flowers, Starkey, Harper, Gaston, Sanderson, Hawkins, Harvey, Petelos, and Clark (J):

H. 406. Relating to aeronautics and airport safety in this state; to provide for airport zoning and the issuance of permits by the state aeronautics department for structures exceeding federal obstruction standards located near air traffic; to state findings and declarations of the legislature; to define certain terms; to authorize political subdivisions to adopt interim and permanent airport zoning regulations; to provide that the more stringent standards of air safety prevail in a conflict of regulations; to provide for a procedure of notice and hearings by airport zoning commissions pursuant to adoption of airport zoning regulations;

to require reasonableness of zoning requirements; to provide for permits and variances by local boards of adjustment; to provide for appeals by aggrieved persons or taxpayers of decisions of zoning boards, the state or political subdivisions regarding airport regulations; to provide for the administration and enforcement of such regulations; to provide for judicial review by aggrieved persons or taxpayers; to provide for the acquisition of air rights by purchase, grant or condemnation; and to provide penalties for violations of the act or regulations adopted pursuant to the act.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 406 - to the Committee on Commerce, Transportation, and
Utilities

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Freeman and Harper:

H. 968. Authorizing the property inventory control division of the state auditor's office to automate the property inventory control system of the state and to charge and collect from each state department or agency for its inventory services on state personal property authorized under Section 36-16-8 of the Code of Alabama 1975; authorizing the state auditor to promulgate administrative rules and procedures for automating and for charging and collecting for such inventory services and providing that the proceeds from such charges shall be deposited in a special state property control fund in the state treasury to be used to support the property inventory control functions of the state auditor's office; creating the special fund in the state treasury to which such charges will be deposited; and making an appropriation to the auditor's office from that fund for the fiscal year ending September 30, 1991 and September 30, 1992.

GREG PAPPAS,
Clerk.**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 968 - to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. McDowell:

H. 822. To amend section 17-16-2, Code of Alabama 1975, relating to primary elections and the definition of the term "political party," so as to define further the term "political party."

GREG PAPPAS,
Clerk.**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 822 - to the Committee on Constitution and Elections

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Buskey (JE):

H. 976. To repeal Section 27-30-16, Code of Alabama 1975,

which provides for reserve valuation law for cash benefits payable under policies issued by Mutual Aid Associations.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 976 - to the Committee on Banking and Insurance

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Hogan:

H. 41. To establish certain due process rights for persons under investigation by the department of human resources for alleged child abuse and/or neglect.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 41 - to the Committee on Governmental Affairs/State Administration

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Butler, Freeman, Burke, Carter, Starkey, Grayson, Haney, Sanderford, and Hall:

H. 763. To amend section 31-5-3 of the Code of Alabama 1975, which established the State Board of Veterans' Affairs, so as to add to the board a representative of the Military Order of the Purple Heart.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 763 - to the Committee on Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Burke and Harvey:

H. 487. To amend Section 9-14-29, Code of Alabama 1975, as last amended, relating to the applicability of the provisions of Article 2 of Chapter 14 of Title 9 of the Code of Alabama 1975, so as to add an exemption for concession operations receiving gross receipts of \$100,000.00 or less annually.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 487 - to the Committee on Economic Affairs

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. McDowell:

H. 824. To amend sections 17-6-8 and 17-6-13, Code of Alabama 1975, relating to election officers, so as to provide for poll watchers in referendum elections and to provide for an increase in compensation for returning officers, inspectors and clerks.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 824 - to the Committee on Constitution and Elections

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Reps. Johnson and Haynes:

H. 1065. To amend section 12-19-20, Code of Alabama 1975, relating to uniform court costs in civil and criminal cases in circuit and district courts, so as to allow certain additional fees for the construction of county jails.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing

Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 1065 - to the Committee on Judiciary/Civil

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Fuller:

H. 492. To amend Section 34-3-3 of the Code of Alabama 1975, relating to admission fees for applicants to the state bar, so as to provide further for such fees.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 492 - to the Committee on Governmental Affairs/State Administration

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. McDowell:

H. 823. To amend sections 17-8-2, 17-8-25 and 17-8-29, Code of Alabama 1975, relating to ballots in elections, so as to provide further for the withdrawal of a name from a ballot; to provide further for the number of ballots to be provided at each voting place; and to provide further for the casting of ballots by electors, including assistance to the electors.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 823 - to the Committee on Constitution and Elections

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Johnson and Haynes:

H. 523. Relating to nuisances; to provide that a solid waste landfill located within a distance of one horizontal mile of a geologic area having multiple sink holes and located within one horizontal mile of a private or public aquifer of more than 3,000 gallons per minute or source of drinking water and in the Foreland Fold and Thrust Belt of the Appalachian Orogen which is underlain by the Cambro-Ordovician Knox Group, is deemed to be a nuisance; to provide for remedies for the abatement of any such public nuisance; and to provide for remedies for the abatement of any such private nuisance.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 523 - to the Committee on Commerce, Transportation, and Utilities

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and

ordered same sent forthwith to the Senate without engrossment:

By Rep. Carothers:

H. 911. To create "The Tractor, Farm Equipment, Lawn and Garden and Light Industrial Equipment Franchise Act" in order to provide for the fair regulation of tractor, farm equipment, lawn and garden and light industrial equipment manufacturers, distributors, wholesalers, dealers, and their representatives; to provide for the regulation of dealings and transactions between manufacturers and distributors or wholesalers and their dealers; to prohibit unfair and deceptive trade practices; to protect the freedom to contract; to prescribe remedies for violations of the provisions of the act; and to repeal Section 8-21-1 through 8-21-14, Code of Alabama 1975.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 911 - to the Committee on Rules

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Rep. Carothers:

H. 807. To amend Sections 22-8A-2, 22-8A-3, 22-8A-4, 22-8A-5, 22-8A-8 and 22-8A-9, Code of Alabama 1975, so as to authorize patients to make written directions or declarations concerning the withholding or withdrawing of medical procedures, interventions or life-sustaining procedures in instances that are not necessarily limited to terminal conditions, to authorize the designation of another person to make said decision, to authorize consent by certain family members regarding treatment, to exempt certain persons from civil, criminal or professional penalties, and to authorize the recognition of declarations made in other states.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 807 - to the Committee on Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 928. To amend Sections 16-25A-5, 16-25A-6 and 16-25A-7, Code of Alabama 1975, relating to the public education employees' health insurance board, so as to provide for authorized coverage and to further clarify the procedure for awarding contracts by the public employees' health insurance board.

GREG PAPPAS,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 928 - to the Committee on Finance and Taxation

STATEMENT FILED

Senator Lipscomb stated that, "Because this local bill, House Bill 890, was passed at a time when the Senate was using a previous roll call, I was recorded as voting favorably for this bill. Had I been aware of this fact at that time, I would have voted 'Nay'."

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 578. Providing further for the compensation and expense allowances or other benefits of the superintendent of education of Morgan County upon the expiration of the current term of office; repealing conflicting laws or parts of laws; and specifically repealing Act. No. 87-257, H. 183, 1987 Regular Session (Acts 1987, p. 360).

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor returning House Bill No. 578, without the Governor's signature and with a suggested Executive Amendment.

Done this 9th day of July, 1991.

Respectfully submitted,

GENE ANDERSON,
Executive Secretary/
Chief of Staff.

MESSAGE FROM THE GOVERNOR

To the House of Representatives of Alabama
Alabama State House
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill

No. 578, without my signature, but with the following suggested Executive Amendment:

EXECUTIVE AMENDMENT TO HOUSE BILL NUMBER 578:

Please amend House Bill No. 578 as follows:

Section 4, page 1, line 31, delete "87-257, H. 183" and insert in lieu thereof "87-256, H. 181".

Section 4, page 1, line 32, delete "p. 360" and insert in lieu thereof "p. 359".

The adoption of the above suggested Executive Amendment will remove my objections to this bill.

Done on this 9th day of July, 1991.

Respectfully,

GUY HUNT,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H.B. 578, by a vote of a majority of those voting, said vote being: Yeas 46, Nays 0.

And said Bill, H.B. 578, together with the Executive amendment, is herewith sent to the Senate for its consideration.

GREG PAPPAS,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Senator Campbell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, HB 578, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Ghee, Langford, Lindsey, Little, Mitchell, Owens, Sanders, Waggoner,

Wilson, and Windom -18

Nays: - 0

which was a majority of the whole number elected to the Senate.

BUDGET ISOLATION RESOLUTION

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill, HB 506.

Senator Langford, B.I.R., HB 506, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Ghee, Langford, Lindsey, Little, Mitchell, Owens, Sanders, Waggoner, Wilson, and Windom -18

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 506. To authorize municipalities or counties to acquire sites, purchase and construct homeless shelters, halfway houses and emergency housing, and affordable single and multi-family dwellings; to receive funds for said use; to sell and issue bonds; to execute mortgages and deeds; to appropriate or lend funds to any public or private not-for-profit corporation created to fund such housing and dwellings; to join other municipalities or counties in the exercise of such powers; to require that certain construction authorized pursuant to this act shall be performed by a licensed contractor; and to require certain construction shall be subject to the state competitive bid laws.

was taken up.

The Standing Committee on State Development and Tourism reported the following substitute for the Bill, HB 506, to-wit:

SUBSTITUTE FOR HB 506

A BILL TO BE ENTITLED AN ACT

To authorize municipalities or counties to acquire sites, purchase

and construct homeless shelters, halfway houses and emergency housing, and affordable single and multi-family dwellings; to receive funds for said use; to sell and issue bonds; to execute mortgages and deeds; to appropriate or lend funds to any public or private not-for-profit corporation created to fund such housing and dwellings; to join other municipalities or counties in the exercise of such powers; to require that certain construction authorized pursuant to this act shall be performed by a licensed contractor; and to require certain construction shall be subject to the state competitive bid laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It is hereby declared that a lack of sanitary, safe and affordable dwelling accommodations for persons of moderate and low income and shelters, halfway houses and emergency housing for persons who would otherwise be homeless exists in various municipalities and rural areas of the state. Consequently, persons of low and moderate income are forced to reside in and use unsafe and unsanitary dwellings and certain other persons are unable to afford any dwelling accommodations at all. These conditions which cause an increase in and spread of disease and crime constitute a menace to the health, safety, morals and welfare of the citizens of the state. It is a matter of public interest to provide safe and sanitary housing for the low and moderate income citizens and shelter for homeless persons, to alleviate such conditions and to encourage economic development, to increase employment in housing construction and related businesses and to create and foster conditions suitable for the welfare and prosperity of all of the people of the state by making available a more adequate supply of funds and increase the availability of safe and sanitary shelters, halfway houses and emergency housing for the homeless and single and multi-family dwelling accommodations for citizens of low and moderate income within such municipalities and rural areas. The necessity for the provision of such homeless shelters, halfway houses and emergency housing and such single and multi-family dwelling accommodations for low and moderate income persons and the taking of related actions provided for in this act is hereby declared as a matter of legislative determination to be in the public interest.

Section 2. For purposes of this act, a low or moderate income person or family shall mean those persons or families with incomes that do not exceed the level of 80% of the median income for the applicable area, as provided for under existing regulations promulgated by the United States Department of Housing and Urban Development currently contained within the provisions of 24 Code of Federal Regulations at Parts 813 and 913, and such successor federal laws and regulations as

may exist from time to time, provided that if no such regulations or successor regulations exist, median income will be determined by each municipality taking into account all relevant factors.

Section 3. The council or other governing body of any municipality, or governing body of a county in furtherance of the legislative purpose stated above, is empowered to take the following actions and to the extent necessary or desirable in its judgment to expend its moneys to accomplish such purpose:

1. To acquire sites for, purchase, construct, own, develop, operate, survey, subdivide, establish, maintain, refurbish, remodel or improve single or multi-family dwellings;

2. To receive designated funds from whatever source, federal, state, private or otherwise and to apply such funds for the uses and purposes described in this act;

3. To sell and issue bonds or warrants in order to provide funds for any low or moderate income single or multi-family housing purpose or to provide funds for any shelter for the homeless purpose;

4. To purchase mortgage loans from mortgage lenders;

5. To contract with mortgage lenders for the origination of, or the servicing of mortgage loans to be made by such mortgage lenders and the servicing of the mortgages securing such mortgage loans;

6. To make loans to mortgage lenders provided that the proceeds of such loans shall be required to be used by such mortgage lenders for the making of mortgage loans within the municipalities or counties and provided further, that the mortgages in connection with the mortgage loans so made, together with any additional security required by the municipality, shall be mortgaged, pledged, assigned or otherwise provided as security for such loans to mortgage lenders;

7. To exercise any and all rights according to the owner and holder of a mortgage under and in accordance with the terms of said instruments and the applicable laws of the state with respect to the mortgaged property, directly or through mortgage lenders or others acting on behalf of the municipality or county or on behalf of the holder of its bonds or warrants, including, but without limitation, the power to foreclose, to sell the equity of redemption, to purchase the equity of redemption and otherwise to sell and dispose of the mortgaged property, all as shall seem in the best interests of the municipalities and the

holders of its bonds or warrants;

8. To execute and deliver in furtherance of the provisions of this act, mortgages, deeds of trusts or trust indentures;

9. To sell at public or private sale, exchange, lease and convey any or all of its properties whenever such action is in furtherance of the purposes stated in this act;

10. To establish such reserves from the proceeds of any issue of bonds, warrants or from revenues of the municipality or county as its governing body shall determine to be necessary and desirable in connection with the payment and retirement of the bonds or warrants;

11. To make, enter into and execute such contracts, agreements, leases and other instruments and to take such other actions as may be necessary or desirable to accomplish any purpose granted by this act;

12. To appropriate, lend or donate funds or properties to any political subdivision, public corporation or nonprofit corporation or agency to be used for the purpose of funding or providing low or moderate income housing or homeless shelter, halfway houses or emergency housing;

13. To provide for such insurance as the governing body may deem advisable, including, but without limitation, casualty insurance, mortgage payment guaranty insurance and bond insurance;

14. To enter into a management agreement or agreements with any person, firm or corporation for the performance by said person, firm or corporation of any of the functions or powers granted to the municipality or county in this act with respect to the provision of single or multi-family dwellings upon such terms and conditions as may be mutually agreeable and in the public interest;

15. To sell or lease to persons of low or moderate income or to other persons who will themselves sell or lease the same, or otherwise make the same available for occupancy by persons of low or moderate income any single or multi-family dwelling units acquired by the municipality or county, all upon such terms and conditions as it shall determine to be in the public interest and necessary or desirable to carry out the purposes of this act;

16. To acquire sites for, purchase, construct, own, develop, establish, maintain, operate, refurbish, remodel or improve shelters for

homeless persons including, without limitation, day shelters, night shelters or respite shelters, halfway houses including, without limitation, rooming houses and emergency shelters of any kind. Soup kitchens, health clinics, social service programs and educational programs may be operated in any of the foregoing facilities. Persons served by such facilities may be charged for the services provided therein if the council or governing body determines that such charges are in the public interest. Any of the foregoing facilities may be operated on behalf of the municipality or county by a nonprofit organization designated by the municipality or county; and

17. To do any and all things necessary or convenient to carry out the purposes described in this act and to exercise its powers pursuant to the provisions of this act.

Section 4. Any two or more municipalities or counties may join or cooperate with one another or with an unincorporated area in the exercise, either jointly or otherwise, of any or all of their powers for the financing, planning, undertaking, owning, constructing, operating, contracting or disposing of any dwelling, shelter, halfway house or other housing located within the boundaries of any one or more of said municipalities or counties. For such purpose any municipality or county may authorize any other so joining or cooperating with it to act on its behalf with respect to any or all of such powers. Any municipalities or counties joining or cooperating with one another may by resolution appoint from among the members of the governing bodies an executive committee with full power to act on behalf of such municipalities or counties with respect to all their powers. Furthermore, any municipality may join or cooperate with an unincorporated rural area in the exercise of such powers, above, with the permission and concurrence of the governing body of the county wherein the unincorporated area is located. For such purpose, any municipality or county may authorize any other so joining or cooperating with it to act on its behalf with respect to any or all of such powers.

Section 5. Except as may be otherwise expressly provided, all powers and authorities conferred shall be cumulative and supplemental and not in derogation of any powers and authorities otherwise existing.

Section 6. All construction authorized pursuant to the provisions of this act shall be performed by a licensed contractor as provided in chapter 8 of Title 34 of the Code of Alabama 1975. All construction authorized pursuant to the provisions of this act shall be subject to the state competitive bid laws as provided in chapter 16 of Title 41 of the Code of Alabama 1975, or as provided by any other provision of general law.

Section 7. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Ghee, Langford, Lindsey, Little, Mitchell, Owens, Sanders, Waggoner, Wilson, and Windom
-18

Nays:

- 0

And said Bill, HB 506, as amended by the substitute, was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Ghee, Langford, Lindsey, Little, Mitchell, Owens, Sanders, Waggoner, Wilson, and Windom
-18

Nays:

- 0

BILLS ON THIRD READING RESUMED

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill:

S. 162. To amend Act No. 90-650, S. 62, 1990 Regular Session, which establishes the Economic Development Revolving Loan Funds, so as to provide further for the compensation of the members of the committee and to provide that appropriations made pursuant to the act shall not revert into the general fund at the end of the fiscal year.

On motion of Senator Corbett, the Rules were suspended and further consideration of the Bill, SB 162, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Mitchell requested and received permission to suspend the Rules in order to bring up the Bill, SB 338.

Senator Mitchell, B.I.R., SB 338, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Ghee, Langford, Lindsey, Little, Mitchell, Owens, Sanders, Waggoner, Wilson, and Windom -18

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 338. To reopen the Employees' Retirement System of Alabama to permit contributing state employees who worked for the Alabama State Council on the Arts to purchase retirement credit for their years of service.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow the transmittal to the House of the Bill, SB 338.

BUDGET ISOLATION RESOLUTION

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill, HB 408.

Senator Bailey, B.I.R., HB 408, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 408. To amend Section 27-30-34 of the Code of Alabama 1975, relating to provision of domestic life and disability insurance pursuant to chapter 3 so as to authorize the calculation of reserve liabilities for all policies issued by mutual aid associations, to provide for the methodology used to calculate the reserve liabilities provided for in Section 27-36-7 of the Code of Alabama 1975, and to provide for limitations.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ghee requested and received permission to suspend the Rules in order to bring up the Bill, HB 333.

Senator Ghee, B.I.R., HB 333, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 333. To amend section 38-2-6, Code of Alabama 1975, relating to the duties, powers and responsibilities of the Alabama state department of human resources, so as to provide for establishing rules and standards for inspection and approval of adult foster care homes and adult day care centers and homes.

was taken up.

The Standing Committee on Public Welfare reported the following substitute for the Bill, HB 333, to-wit:

SUBSTITUTE FOR HB 333

A B I L L T O B E E N T I T L E D A N A C T

To amend section 38-2-6, Code of Alabama 1975, relating to the duties, powers and responsibilities of the Alabama state department of human resources, so as to provide for establishing rules and standards for inspection and approval of adult foster care homes and adult day care centers and homes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 38-2-6, Code of Alabama 1975, is hereby amended to read as follows:

"§ 38-2-6.

"The aim of the state department shall be the promotion of a

unified development of welfare activities and agencies of the state and of the local governments so that each agency and each governmental institution shall function as an integral part of a general system. In order to carry out effectively these aims, it shall be the duty and responsibility of the state department to:

"(1) Administer or supervise all forms of public assistance including general home relief, outdoor and indoor care for persons in need of assistance, also including those duties that have to do primarily with the determination of need and authorization of relief.

"(2) Exercise all the powers, duties and responsibilities previously vested by law in the state child welfare department.

"(3) Provide services to county or municipal governments including the organization and supervision of counties for the effective carrying out of welfare functions, the compilation of statistics, and other information relative to public welfare and to make surveys and in other ways to ascertain the facts which cause or contribute to the need for public assistance, family welfare, child welfare and other welfare activities.

"(4) Assist other departments, agencies and institutions of the state and federal government, when so requested, by performing services in conformity with the purposes of the state department.

"(5) Act as the agent of the federal government in welfare matters of mutual concern, and in the administration of any federal funds granted to the state to aid in the furtherance of any of the functions of the state department, and be empowered to meet such federal standards as may be established for the administration of such funds.

"(6) Designate county departments as its agents under its rules and regulations to perform any of the state department's functions.

"(7) Administer such welfare functions as may hereafter be vested in it by law.

"(8) Establish and enforce reasonable rules and regulations governing the custody, use and preservation of the records, papers, files and communications of the state and county departments. The use of such records, papers, files and communications by any other agency or department of government shall be limited to the purposes for which they are furnished and by the provisions of the law under which they may be furnished. All case records of recipients of, and applicants for,

assistance, including, but not limited to, payments and services, shall be considered confidential and not public writings and shall not be subject to public use or inspection. At each session of the circuit court, however, the director of human resources in each county shall, upon request, submit to the grand jury a list of persons receiving public assistance in the county or division of the county covered by the court, and the grand jury may examine the list of public assistance recipients within the county and make such investigation in regard thereto as may be necessary to verify the accuracy of the same. It shall be the duty of the presiding judge to charge the grand jury at each session that it may make such investigation. The information obtained from either the state or county departments of human resources by the grand juries in investigations shall be subject to the same safeguards with respect to the confidential nature of such information as prevails with respect to such records and information while in the custody of the county or state departments of human resources. Confidential information concerning children and their families and applicants for and recipients of public assistance, including, but not limited to, payments or services, shall not be used or disclosed for any purposes not directly connected with the administration of public assistance, or the investigation thereof by grand juries. Any violation of this provision shall be a misdemeanor and punishable accordingly.

"(9) Cooperate with the state department of corrections or with any pardon and parole authority of the state of Alabama by making necessary investigations with reference to families or dependents of persons committed to state penal institutions; in the discharge of its responsibility with reference to dependent or neglected minor children whose parent or parents may be inmates of any prison or jail, the state department of human resources shall cooperate and advise with the state department of corrections and with the officials of the courts committing said parent or parents to a prison or jail to the end that as full protection as possible may be afforded the families or children of said prisoners.

"(10) Seek out, through investigation, complaints from citizens, or otherwise, the minor children in the state who are in need of its care and protection and shall, as far as may be possible, through existing agencies, public or private, or through such other resources, aid such children to a fair opportunity in life.

"(11) Advise with the judges and probation officers of the juvenile courts of the several counties of the state, and aid in perfecting the organization and work of such courts.

"(12) Exercise the right of visitation and inspection of all state,

county, municipal and other agencies and institutions, public or private, receiving, placing or caring for dependent or neglected minor children for the purpose of ascertaining from time to time the capacity and adequacy of the facilities offered by these agencies and institutions for the care of such children; the manner, character or way in which such children are cared for in such institutions or agencies, the children who are in such institutions, the facts showing their social status, the source of income and cost of maintenance and the way in which such children are received into and dismissed from such institutions or agencies.

"(13) License biennially all institutions and agencies except those under state ownership and control, caring for, receiving or placing minor children and to revoke such license for cause.

"(14) Establish and maintain homes or other agencies for the care of dependent or neglected minor children or contract with any approved agency or institution for the care of such children, and, also, receive and care for dependent or neglected minor children committed to its care, make a careful physical examination and, if possible, a mental examination of every such child, investigate in detail the personal and family history of the child and its environment, and place such children in family homes or in approved suitable institutions operating in accordance with the provisions of this title and supervise such children however placed.

"(15) Require reports from courts and institutions, public and private, to the extent and in the form and manner as required by law.

"(16) Solicit, receive, and hold gifts, devises and bequests of money, real estate and other things of value to be used in the support, development, and carrying on of its work.

"(17) Administer and exercise all responsibility for the food stamp program.

"(18) Establish rules and standards for the inspection, approval, and operation of foster homes for adults which serve only those individuals who are eligible for adult foster care services and are referred and placed by the department of human resources.

"(19) Establish rules and standard for the inspection and approval of adult day care centers and adult day care homes."

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 333, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bennett requested and received permission to suspend the Rules in order to bring up the Bill, HB 34.

Senator Bennett, B.I.R., HB 34, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 34. To provide for a community punishment and corrections program and procedures as alternative punishment for eligible offenders; to provide for local community punishment and corrections planning boards in the judicial circuit or counties to develop a local community punishment and corrections plan to qualify for receipt of funding; to provide for the establishment of such alternative plans and programs whereby state funds may be granted or contracted with or through local governments and qualified non-profit, human service agencies and entities to provide planning, treatment, guidance, training or other rehabilitative services and programs; to provide authorization for the department of corrections to participate in the plan; to provide for immunity from civil liability, except in cases of willful or wanton misconduct, fraud, or gross negligence for county governmental units, community corrections advisory boards, non-profit entities or officials, directors and employees thereof, for any injury or loss sustained by a person performing any duty or responsibility under the act and from liability for any tortious acts performed by such person while sentenced under this act and to provide the effective date of this act.

was taken up.

The Standing Committee on Judiciary/Criminal Justice and Public Safety reported the following substitute for the Bill, HB 34, to-wit:

SUBSTITUTE FOR HB 34

**A B I L L
T O B E E N T I T L E D
A N A C T**

To provide a community punishment and corrections program and procedures as an alternative punishment for eligible offenders; to provide for local community punishment and corrections planning boards in the judicial circuit or counties to develop a local community punishment and corrections plan to qualify for receipt of funding; to provide for the establishment of such alternative plans and programs whereby state funds may be granted or contracted with or through local governments, county or counties, established authorities and qualified nonprofit human service agencies and entities to provide planning, treatment, guidance, training or other rehabilitative services and programs; to provide authorization for the department of corrections to participate in the plan; to provide for

immunity from civil liability for any injury or loss sustained by an offender while performing duties or responsibilities under this act and to provide the effective date of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known as the "Alabama Community Punishment and Corrections Act of 1991."

Section 2. As used in this act, unless the context otherwise requires:

(1) "Application process and procedures" means the criteria and guidelines developed by the department of corrections for the establishment of community plans, the granting of funds for programs authorized herein, and the monitoring, evaluation and review of programs funded herein;

(2) "Board" means the board of directors of the authority;

(3) "Commissioner" means the commissioner of the department of corrections;

(4) "Community" includes the county or counties comprising one or more judicial circuits;

(5) "Community punishment and corrections authority" means a public corporation organized pursuant to the provisions of this act;

(6) "Community punishment and corrections program" means any program designed and maintained by an authority or nonprofit entity for the purpose of punishing and for correcting a person convicted of a felony or misdemeanor or adjudicated a youthful offender and which may be imposed as part of a sanction, including, but not limited to confinement, work release, day reporting, home detention, restitution programs, community service, education and intervention programs, and substance abuse programs;

(7) "Community punishment and corrections plan" means a document prepared by an authority, or nonprofit entity, and submitted to the department of corrections in accordance with the requirements set forth in the application process and procedure, which identifies proposed community-based programs to be implemented within the county in accordance with the terms of this act and justifies the funding of such programs with regard to local need and community support;

(8) "County commission chairperson" includes the chairman of the county commission or his/her representative;

(9) "County inmate" means a person convicted of a misdemeanor;

(10) "Court" means the trial judge exercising sentencing jurisdiction over an eligible offender under the act and includes any successor of such trial judge;

(11) "Department" means the department of corrections;

(12) "Eligible" means a person who has committed an offense not excluded by subdivision 13 herein and who meets the criteria of Section 6 herein;

(13) "Excluded felony offenders" means one who is convicted of any of the following felony offenses: murder, kidnapping in the first degree, rape in the first degree, sodomy in the first degree, arson in the first degree, selling or trafficking in controlled substances, robbery in the first degree, sexual abuse in the first degree, forcible sex crimes, lewd and lascivious acts upon a child, or assault in the first degree if said assault leaves the victim permanently disfigured or disabled;

(14) "Governing body" means with respect to a county, its county commission or other like governing body exercising the legislative functions of a county;

(15) "Incorporators" means the persons forming a public corporation pursuant to the provisions of this act;

(16) "Nonprofit entity" means any not-for-profit organization, agency or other entity other than a community punishment and corrections authority that provides treatment, guidance, training or other rehabilitation services to individuals, families or groups in such areas as health, education, vocational training, special education, social services, psychological counseling, and alcohol and drug treatment;

(17) "Plan" means the community punishment and corrections plan defined in subdivision (7) of this section;

(18) "Recipient" includes any entity receiving directly or indirectly any financial grant or contractual remuneration under this act;

(19) "Renovation" means the repair, remodeling, alteration or

expansion of existing buildings or structures to make them habitable or suitable for community punishment and corrections program operations, and includes the acquisition and installation of necessary equipment;

(20) "Restitution" means payment to the victim who has suffered financial losses as a result of a crime. Restitution shall include, but not be limited to, payment in cash or in kind for the value of stolen or damaged property; for medical expenses due to physical, emotional and/or psychological trauma; wages lost as a result of time absent from work; and value of property lost or transferred through theft or exercise of control by deception or fraud;

(21) "State inmate" means a person convicted of a felony;

(22) "User fees" means fees assessed under a community punishment and corrections program to help defray the costs of such programs;

(23) "Victim service officer" means a person employed to directly assist crime victims and their families with court attendance, restitution, compensation, property return, victim impact statements and other needs expressed; and

(24) "Youthful offender" means a person adjudicated as a youthful offender.

Section 3. (a) There is hereby authorized in each county or group of counties of the state, a community punishment and corrections program for state and county inmates or youthful offenders in custody of the county. Such program may be established by a county or such community punishment and corrections authorities or other nonprofit entities as provided herein.

(b) The department is authorized to contract with such counties, authorities or other nonprofit entities as provided herein concerning the costs of maintenance, including medical expenses, of state inmates participating in any program authorized under this act or under any county program functioning pursuant to any state or local act.

(c) The department shall promulgate rules and regulations establishing conditions for state inmates participation in the community punishment and corrections program, the observance of which may be a condition to such participation.

(d) A state inmate incarcerated in a state facility may be approved by the department for participation in a community punishment and

corrections program established under this act and be assigned to a program in such county from which he was sentenced if a community punishment and corrections program under this act has been established in such county and if the sentencing judge of such county authorizes the inmate to participate in the program. An inmate may be assigned to a community punishment and corrections program in another county if the presiding judge of the other county and the sentencing judge agree to such assignment and if the county has agreed in the contract to accept inmates originally sentenced in other counties. In the event the sentencing judge is unavailable due to death, retirement, or any other reason, the presiding judge from the sentencing circuit shall act in the sentencing judge's stead.

Section 4. The goals of the community punishment and corrections act are:

(1) To promote accountability of offenders to their local community by requiring direct financial restitution to be made to victims of crime and that community service be made to local governments and community agencies representing the community;

(2) To provide a safe, cost-efficient, community punishment and correctional program which provides punishments through the development of a range of sanctions and community services available for the judge at sentencing;

(3) To reduce the number of offenders committed to correctional institutions and jails by punishing such offenders in alternative punishment settings;

(4) To provide opportunities for offenders demonstrating special needs to receive services that enhance their abilities to provide for their families and become contributing members of their community; and

(5) To encourage the involvement of local officials and leading citizens in their local punishment and correctional system.

Section 5. In addition to those otherwise provided by law, the department shall have the following powers, duties, and authority:

(1) Monitor the community punishment and corrections plan within the goals and mandates established herein;

(2) Conduct statewide public education programs concerning the purposes and goals as established herein and make a report to the prison

oversight committee of the legislature regarding the effectiveness of diversion of offenders from state and local correctional institutions;

(3) Provide technical assistance to local governments, authorities and other nonprofit entities and agencies, and local community punishment and corrections advisory boards regarding development of a community punishment and corrections plan;

(4) Develop minimum standards, policies, and administrative rules for the statewide implementation of this act;

(5) Develop and implement an application process and procedure;

(6) Review community punishment and corrections plans and award contracts or grants; and

(7) Conduct an audit and annual program evaluation of programs receiving contracts or grants to ensure program accountability.

Section 6. (a) An offender who meets one of the following minimum criteria shall be considered eligible for punishment in the community under the provisions of this act:

(1) Persons who, without this option, would be incarcerated in a correctional institution or who are currently incarcerated in a correctional institution; and

(2) Persons who are convicted of misdemeanors.

(b) The following offenders are excluded from consideration for punishment in the community:

(1) Persons who are convicted of offenses as listed in subdivision (13) of Section 2 above; and

(2) Persons who demonstrate a pattern of violent behavior. In reaching this determination, the court may consider prior convictions and other acts not resulting in conviction or criminal charges, and the offender's behavior while in state or county confinement.

(c) The eligibility criteria established in this section shall be interpreted as guidelines for the benefit of the court in making a determination of eligibility of offenders and assessment of funds under this act.

(d) (1) Notwithstanding any other provision of the law to the

contrary, the court is authorized to sentence an eligible offender as defined in this section directly to any appropriate community-based alternative provided, either as a part of or in conjunction with a split sentence as provided for in section 15-18-8 of the Code of Alabama 1975, or otherwise as an alternative to prison; or as a condition for a defendant to meet in conjunction with probation; and under such additional terms and conditions as the court may prescribe. Provided, however, a court cannot sentence an eligible offender to any community punishment and corrections program if such sentencing would cause the offender participation level to exceed the maximum participation level established for that program in its community punishment and corrections plan.

(2) In sentencing an eligible offender to any community-based alternative to incarceration, the court shall possess the authority to set the duration of the sentence for the offense committed to any period of time up to the maximum sentence within the appropriate sentence range for the particular offense.

(3) The court may alter the sentence imposed for a violation of the conditions imposed by the court; after a hearing, the court may:

a. If the defendant violates a condition of the sentence at any time prior to the expiration or termination of the term of the sentence, the court may implement one or more of the following options:

1. Continue the offender on the existing sentence;

2. Issue a formal or informal warning to the offender that further violations may result in revocation of the sentence;

3. Conduct a formal or informal warning to reemphasize the necessity of compliance with the conditions of the sentence;

4. Modify the conditions of serving the sentence, possibly including the inclusion of short periods of confinement in local facilities for time for which supervision of sentence was formerly given; or

5. Revoke the sentence as listed in paragraph b below.

b. If the court revokes the sentence, it may impose the sentence that was suspended at the original hearing or any lesser sentence, including any option listed in subsection (d), subdivision (1) of this section. If the sentence is revoked or modified and the court orders the offender to serve any period of confinement, an offender originally

convicted of a misdemeanor shall serve such confinement in the county jail and an offender originally convicted of a felony shall serve such confinement in a state correctional facility.

c. If revocation results in a sentence of confinement, credit shall be given for all time spent in custody prior to revocation. Full credit shall be awarded for full-time confinement in facilities such as city/county jails, state prisons, and boot camps. Credit for other penalties, such as work release programs, intermittent confinement, and home detention, shall be left to the discretion of the court, with the presumption that time spent subject to such other penalties will receive half-credit. The court shall also give significant weight to time spent in confinement so that total credited time spent in confinement may not exceed the term of confinement of the original sentence.

d. The court shall not revoke the sentence and order the confinement to prison of the offender unless the court finds on the basis of the original offense and the offender's intervening conduct that:

1. No measure short of confinement will adequately protect the community from further criminal activity by the offender; or

2. No measure short of confinement will avoid depreciating the seriousness of the violation.

e. The willful failure of an inmate to remain within the extended limits of his confinement or to return to the place of confinement within the time prescribed shall be deemed an escape from a state penal institution in the case of a state inmate and an escape from the custody of the sheriff in the case of a county inmate and shall be punishable accordingly.

f. The victim will be notified in accordance with procedures established in the community punishment and corrections plan prior to sentencing under this act.

g. Restitution, when appropriate, shall be ordered by the court as a condition for a community-based sentence under this act in addition to any mandatory victim assessment fees.

1. Nothing herein shall prevent a court from sentencing an eligible defendant to community-based punishment in conjunction with a suspended sentence confinement pursuant to the split sentences or probation.

2. The state of Alabama and any county or municipality are

hereby authorized to become employers of community punishment and corrections inmates under this act, and as such, may employ inmates to perform any state or county or municipal job available, including, but not limited to, road or bridge work, garbage collection and public grounds maintenance. Inmates so employed shall not be eligible to participate in group health, accident and life insurance programs or retirement programs provided regular state or county or municipal employees. Workmen's compensation benefits may be provided such inmates at the discretion of the state or employing county or municipality.

3. Inmates employed under this section shall be paid at least the federally established minimum wage.

4. Counties are hereby authorized to utilize inmates or others required by a court of competent jurisdiction to perform community service in county work, including, but not limited to, removal of debris or trash from roads and rights-of-way, road or bridge work, garbage collection, and public grounds maintenance.

5. State and county inmates performing community service shall not be entitled to any compensation.

Section 7. (a) A community punishment and corrections plan shall be developed and submitted to the department which sufficiently documents the local need and support for the proposed program. The community punishment and corrections plan shall have the approval of the county commission(s) in the affected counties prior to submission to the department. Any such plan shall specifically state the maximum number of inmates eligible to participate in any such program.

(b) The format for any community punishment and corrections plan shall be specified by the department of corrections in its application process and procedures. Funding and grant evaluation criteria shall be outlined in the application process and procedures to be developed by the department in order that each applicant may know the basis upon which funds will be granted.

(c) Participation in the programs set forth in this act is voluntary. Any participating authority or other nonprofit entity may notify the commissioner of its intention to withdraw from participation in the community punishment and corrections program contract. The withdrawal will become effective on the last day of the grant year.

Section 8. The proposed community punishment and corrections

plan may be drafted by an authority established under this act, or in lieu of the establishment of an authority, a county or another qualifying nonprofit entity as described in subsection (b) of Section 9 herein.

Section 9. (a) Should an authority be formed by one or more counties under this act, such authority shall be eligible for direct financial contracts/grants under the act.

(b) A nonprofit entity other than a community punishment and corrections authority may be eligible under the provisions of this act to receive grants or contracts so as to carry out the provisions and purposes of this act only in a county which has not established a local community punishment and corrections authority and only after a county commission in such a county has received notice that such nonprofit entity desires to seek a grant to carry out the provisions of this act and said county fails to establish a community punishment and corrections authority within 30 days after such notification. Under such circumstances, the county commission may elect to endorse the community punishment and corrections plan submitted by such nonprofit entity. In such event, such nonprofit entity shall perform the same duties, obligations and functions as a community punishment and corrections planning authority together with performing the other corrections functions provided for in this act. Nothing in this act shall prohibit a nonprofit entity from receiving funds indirectly for such a program nor shall a nonprofit entity have the authority to obligate county funds.

(c) Nothing in this act shall prevent an entity eligible for funding under this act to utilize common facilities or personnel and to share other overhead costs with county correctional or work release programs.

Section 10. (a) A public corporation may be organized pursuant to the provisions of this act in any county or group of counties located in one or more judicial circuits. In order to incorporate such a public corporation, any number of natural persons, not less than three, who are duly qualified electors of a proposed county(s) shall first file a written application with the county commission or any two or more thereof, and such applications shall:

(1) Recite the names of each county commission with which such application is filed;

(2) Contain a statement that the applicants propose to incorporate an authority pursuant to the provisions of this act;

(3) State the proposed location of the principal office of the

authority;

(4) State that each of the applicants is a duly qualified elector of the county, or if there is more than one, at least one thereof; and

(5) Request that the governing body of such determining subdivision adopt a resolution declaring that it is wise, expedient and necessary that the proposed authority be formed, approving its certificate of incorporation and authorizing the applicants to proceed to form the proposed authority by the filing for record of a certificate of incorporation in accordance with the provisions of this act. Every such application shall be accompanied by a form of certification of incorporation of the proposed authority and by such other supporting documents or evidence as the applicants may consider appropriate.

As promptly as may be practicable after the filing of the application with it in accordance with the provisions of this section, the county commissioners of the county with which the application was filed shall review the contents of the application, and the accompanying form of certificate of incorporation and shall adopt a resolution either denying the application or declaring that it is wise, expedient and necessary and that the proposed authority be formed, and that a community punishment and corrections program be established in such jurisdiction, approving the form of its certificate of incorporation and authorizing the applicants to proceed to form the proposed authority by the filing for record of such a certificate of incorporation in accordance with this act. While it shall not be necessary that any such resolution be published in a newspaper or posted, each governing body with which the application is filed shall also cause a copy of the application to be spread upon or otherwise made a part of the minutes of the meeting of such governing body at which final action upon said application is taken.

(b) Within 40 days following the adoption of an authorizing resolution, or if there is more than one, the last adopted thereof, the applicants shall proceed to incorporate an authority by filing for record in the office of the judge of probate of the county in which the principal office of the authority is to be located, a certificate of incorporation which shall comply in form and substance with the requirements of this section and which shall be in form and executed in the manner provided in this act and shall also be in the form theretofore approved by the governing body of each determining subdivision.

(c) The certificate of incorporation of the authority shall state:

(1) The names of the persons forming the authority, and that

each of them is a duly qualified elector of the county, or if there is more than one, at least one thereof;

(2) The name of the authority (which may be a name indicating in a general way the area proposed to be served by the authority and shall include the words ". . . Community Punishment and Corrections Authority," or "The Community Punishment and Corrections Authority of . . . ," the blank spaces to be filled in with the name of one or more of the counties or other geographically descriptive word or words, such descriptive word or words not, however, to preclude the authority from exercising its powers in other geographical areas), unless the secretary of state shall determine that such name is identical to the name of any other corporation organized under the laws of the state or so nearly similar thereto as to lead to confusion and uncertainty in which case the incorporators may insert additional identifying words so as to eliminate said duplication or similarity;

(3) The period for duration of the authority; if the duration is to be perpetual, subject to the provisions of subsection (i) of this section that fact shall be stated;

(4) The name of each county together with the date on which the governing body thereof adopted an authorizing resolution;

(5) The location of the principal office of the authority, which shall be within the boundaries of the county, or if more than one, at least one thereof;

(6) That the authority is organized pursuant to the provisions of this act;

(7) The number of members of the board of directors of the authority, which shall be an odd number not less than three, the duration of their respective terms of office, which shall not be in excess of six years; and subject to the provisions of subsection (g) of this section, the manner of their election or appointment;

(8) Any provisions, not inconsistent with subsection (i) of this section, relating to the vesting of title to its properties upon its dissolution;

(9) Any other related matters relating to the authority that the incorporators may choose to insert and that are not inconsistent with this act or with the laws of the state; and

(10) The certificate of incorporation shall be signed and acknowl-

edged by the incorporators before an officer authorized by the laws of the state to take acknowledgments to deeds. When the certificate of incorporation is filed for record, there shall be attached to it:

a. A copy of the application as filed with the county commission(s) in accordance with the provisions of subsection (a) of this section;

b. A certified copy of the authorizing resolution adopted by the county commission(s); and

c. A certificate by the secretary of state that the name proposed for the authority is not identical to that of any other corporation organized under the laws of the state or so nearly similar thereto as to lead to confusion and uncertainty.

(d) Upon the filing for record of the said certificate of incorporation and the documents required by the preceding sentence to be attached thereto, the authority shall come into existence and shall constitute a public corporation under name set forth in said certificate of incorporation. The judge of probate shall thereupon send a notice to the secretary of state that the certificate of incorporation of the authority has been filed for record.

(e) The certificate of incorporation of any authority incorporated under the provisions of this act may at any time and from time to time be amended in the manner provided in this section. The board shall first adopt a resolution proposing an amendment to the certificate of incorporation which shall be set forth in full in the said resolution and which amendment may include any matters which might have been included in the original certificate of incorporation.

After the adoption by the board of a resolution proposing an amendment to the certificate of incorporation of the authority, the chairman of the board and the secretary of the authority shall sign and file a written application in the name of and on behalf of the authority, under its seal, with the governing body of the county commission(s), requesting such county commission(s) to adopt a resolution approving the proposed amendment, and accompanied by a certified copy of the said resolution adopted by the board proposing the said amendments to the certificate of incorporation, together with such documents in support of the application as the said chairman may consider appropriate. As promptly as may be practicable after the filing of the said application pursuant to the foregoing provisions of this section, the county commission(s) shall review the said application and shall adopt a resolu-

tion either denying the said application or authorizing the proposed amendment. While it shall not be necessary that any such resolution be published in a newspaper or posted, the county commission(s) with which such application is filed shall also cause a copy of the said application and all accompanying documents to be spread upon or otherwise made a part of the minutes of the meeting of said governing body at which final action upon the said application is taken. The certificate of incorporation of an authority may be amended only after the filing of such an application therefore and the adoption by the county commission of each county of an approving resolution.

Within 40 days following the adoption by the county commission of a resolution approving the proposed amendment, or if there is more than one, the last adopted of such approving resolutions, the chairman of the board of the authority and the secretary of the authority shall sign and file for record in the office of the judge of probate with which the certificate of incorporation of the authority was originally filed, a certificate in the name of and in behalf of the authority, under its seal, reciting the adoption of said respective resolutions by the board and by the county commission(s) and setting forth the said proposed amendment. The judge of probate for such county shall thereupon record said certificate in an appropriate book in his office. When such certificate has been so filed and recorded, such amendment shall become effective, and the certificate of incorporation shall thereupon be amended to the extent provided in the amendment. No certificate of incorporation of an authority shall be amended except in the manner provided in this section.

(1) Each authority shall have a board of directors composed of the number of directors provided in the certificate of incorporation, provided, however, that the board shall consist of at least five directors who shall be appointed by the county commission(s) of the counties involved. Unless provided to the contrary in its certificate of incorporation, all powers of the authority shall be exercised, and the authority shall be governed by the board or pursuant to its authorization. The directors or persons shall serve such terms of office as shall be specified in the certificate of incorporation of the authority. Any county commissioner or other county officer or employee shall be eligible for appointment to the board.

(2) If, at the expiration of any term of office of any director, a successor thereto shall not have been elected or appointed, then the director whose term of office shall have expired shall continue to hold office until his successor shall be so elected or appointed. If at any time there should be a vacancy on the board, whether by death, resignation, incapacity, disqualification or otherwise, a successor director to serve for

the unexpired term applicable to such vacancy shall be elected or appointed by one county commission(s) of the counties involved. Each election or appointment of a director, whether for a full term or to complete an unexpired term, shall be made not earlier than 30 days prior to the date on which such director is to take office. Any director, irrespective of by whom elected or appointed, shall be eligible for reelection or reappointment.

(3) Each director shall serve as such without compensation but may be reimbursed for expenses actually incurred by him in and about the performance of his duties. A majority of the directors shall constitute a quorum for the transaction of business, but any meeting of the board may be adjourned from time to time by a majority of the directors present or may be so adjourned by a single director if such director is the only director present at such meeting. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the powers and perform all the duties of the board. The board shall hold regular meetings at such times as may be provided in the bylaws of the authority, may hold other meetings at any time and from time to time upon such notice as may be required by the bylaws of the authority, and must, upon call of the chairman of the authority or a majority of the total number of directors, hold a special meeting, none of which meetings shall be subject to the provisions of section 13A-14-2, Code of Alabama 1975, or other similar law.

(f) Every authority shall have all of the powers necessary and convenient to carry out and effectuate the purposes and provisions of this act, including, without limiting the generality of the foregoing, the powers granted nonprofit corporations under the Alabama Nonprofit Corporation Act.

(g) A board may adopt a resolution, which shall be duly entered upon its minutes, declaring that the authority shall be dissolved provided, however, that an authority may not dissolve if there are any offenders participating in a community punishment and corrections program under its supervision. Upon filing for record of a certified copy of the said resolution in the office of the judge of probate with which the authority's certificate of incorporation is filed, the authority shall thereupon stand dissolved and in the event it owned any property at the time of its dissolution, the title to all its properties shall thereupon pass to the authorizing counties.

(h) Where a group of counties combine and approve the creation of an authority as provided herein, or otherwise establish a community punishment and corrections program, the application for funding to the

department shall contain a cooperative agreement indicating the willingness of each county to collaborate on the proposed program and to meet specific objectives. In addition, such multi-jurisdictional applications shall provide for appointment of one fiscal agent to coordinate the financial activities of the grant.

(i) The provisions of articles 2 and 3 of chapter 16 of Title 41, Code of Alabama 1975, or other similar laws shall not apply to an authority organized under this act, its directors, or any of its officers, agents or employees in their capacities as such.

Section 11. (a) Community punishment and corrections funds may be used to develop or expand the range of community punishments and services at the local level. Community-based programs options may include, but are not limited to, the following:

(1) Community service supervision; victim restitution, community detention and restitution centers; victim-offender reconciliation programs; home confinement/curfew; electronic surveillance; intensive supervision probation; alcohol/drug outpatient treatment and psychiatric counseling;

(2) Short-term community residential treatment options which involve close supervision in a residential setting may include, but are not limited to, the following options: detoxification centers; community detention centers for special needs offenders, and probation and parole violators; and inpatient drug/alcohol treatment;

(3) Residential in-house drug and alcohol treatment for detoxification and residential and nonresidential drug and alcohol counseling;

(4) Individualized services which provide evaluation and treatment for special needs of the population served under this act. Such services may include the purchase of psychological, medical, educational, vocational, drug and alcohol urine screening, and client specific plan diagnostic evaluations. Other services which may be pursued on an individualized basis may include job training, alcohol and drug counseling, individual and family counseling, educational programs leading to a GED certificate, or transportation subsidies.

(b) Community punishment and corrections funds may also be used to acquire, renovate, and operate community facilities established to provide the options and services set forth in subsection (a) of this section.

(c) Counties, authorities and other nonprofit entities receiving

funding herein may provide or contract with qualified proprietary, nonprofit or governmental entities for the provision of services under this act.

(d) Any options or services established under this act may serve offenders from the entire judicial circuit in which the county is located.

(e) As a part of a community punishment and corrections plan, user fees may be assessed to help defray the cost of the plan. User fees paid by an offender participating in any option or service established under this act shall not diminish the payment of restitution by the offender to the victim of the crime for which he or she was sentenced.

(f) The employer of an inmate involved in a community punishment and corrections program pursuant to this act shall send the inmate's wages directly to the county or its designated agent. Of each inmate's earnings, 25 percent of his gross wages shall be applied to costs incident to the inmate's confinement, and a minimum of an additional 20 percent shall be applied, 10 percent to payment of court costs, fines, court-ordered attorney fees, and other court-ordered fees or assessments and 10 percent to restitution. The remainder of the inmate's wages may be credited to his account with the county and may be paid out for dependent care, savings, and spending money. Modes of accounting and disbursement of these funds shall be addressed in the community punishment and corrections plan.

Section 12. (a) Administrative costs connected with the expenditures of community punishment and corrections funds under this act shall not exceed a percentage amount established by the commissioner.

(b) The chief examiner of the department of examiners of public accounts is directed to develop a uniform accounting system conforming to generally accepted accounting principles. Such uniform accounting system shall be subject to the approval of the state chief examiner of public accounts. Community punishment and corrections programs shall establish and maintain the uniform accounting system.

(c)(1) The annual reports and all records of accounts and financial records of all funds received by grant, contract or otherwise from state, local or federal sources, shall be subject to audit annually by the chief examiner of the department of public accounts or the department of corrections, or both. The audit may be performed by a licensed independent certified public accountant approved by the chief examiner

of the department of public accounts. The cost of any such audit shall be paid by the contracting entity.

(2) All audits shall be completed as soon as practicable after the end of the fiscal year of the board. One copy of each audit shall be furnished to the board, if established, the department of corrections and the chief examiner of the department of public accounts. Copies of each audit shall also be made available to the press.

Section 13. (a) In order to remain eligible for continued grant funding, a recipient must substantially comply with the standards and administrative regulations of the department defining program effectiveness. Each recipient will participate in an evaluation to determine local and state program effectiveness. The form of this evaluation will be determined by the department.

(b) Continued grant funding shall be based on demonstrated effectiveness in reducing the number of commitments of eligible offenders to state penal institutions or local jails which would likely have occurred without the programs funded under this act.

(c) Subject to funding availability, each county, participating authority or other nonprofit entity is eligible to receive additional incentive funding for extending programs if such programs exceed the objectives of the approved community punishment and corrections plan.

(d) If the commissioner determines that there are reasonable grounds to believe that a participating county, authority or other nonprofit entity is not complying with its plan, or the minimum standards, the commissioner shall give 30 days written notice to the participating entity, as well as to the county commission in the affected county. If the commissioner finds that such a participating entity is not complying with its plan or the minimum standards established in this act, the commissioner shall require the entity to provide a letter of intent as to how and when specific deficiencies identified by the commissioner will be corrected. If no such letter is submitted to the commissioner within the time limit specified, or if such deficiencies are not corrected within 45 days after such a letter has been submitted to the entity by the commissioner, the commissioner may suspend any part or all of the funding until compliance is achieved.

Section 14. The recovery of damages under any judgment or judgments against an authority established under this section shall be limited to \$100,000.00 for bodily injury or death for one person in any single occurrence. Recovery of damages under any judgment

or judgments against an authority shall be limited to \$300,000.00 in the aggregate where more than two persons have claims or judgments on account of bodily injury or death arising out of any single occurrence. Recovery of damages under any judgment or judgments against an authority shall be limited to \$100,000.00 damages or loss of property arising out of any single occurrence. In the event that more than one county combines to create a single authority under this act, the aforementioned limitations shall be multiplied by the number of participating counties. Counties shall be exempt from civil liability for any injury or loss to any person resulting from the operation of a community punishment and corrections program established by an authority under this act. This section does not affect, and shall not be construed as limiting or otherwise affecting, any other immunities from civil liability or defenses established under the Constitution of Alabama or any other section of the Code or common law, to which said entities might be entitled.

Section 15. An authority contracting with the department under this act shall maintain general liability insurance in an amount sufficient to insure against loss resulting from bodily injury, death or property damage, subject to the limitations on recovery of damages contained in this act and any other immunities from civil liability or defenses established under the Constitution of Alabama or any other section of the Code or common law, to which said entities might be entitled.

Section 16. In the event a state inmate, as defined in this act, participating in a community punishment and corrections program develops a medical condition which, in the opinion of a physician licensed to practice medicine in this state, would require treatment, the cost for which would exceed \$2,000.00, such inmate shall be transferred within three days to the custody of the department and shall receive treatment as other state inmates.

Section 17. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. This act shall become effective October 1, 1991, upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,

Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

And said Bill, HB 34, as amended, by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill, SB 287.

Senator Bedsole, B.I.R., SB 287, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 287. To amend the Alabama Juvenile Justice Act, Sections 12-15-1, 12-15-33 and 12-15-65, Code of Alabama 1975, so as to define further the term "Delinquent Act"; to provide further for the transfer of certain cases to the juvenile court from other courts; and to provide further for the proceeding to allow a child to withdraw from school.

was taken up.

Senator Bedsole offered the following substitute for the Bill, SB 287, to-wit:

SUBSTITUTE FOR SB 287

**A B I L L
T O B E E N T I T L E D
A N A C T**

To amend the Alabama Juvenile Justice Act, Sections 12-15-1, 12-15-33, 12-15-65, 12-15-71.1, Code of Alabama 1975, so as to define further the term "Delinquent Act"; to provide further for the transfer of certain cases to the juvenile court from other courts; to provide further for the proceeding to allow a child to withdraw from school; and to correct typographical errors in certain Code citations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-15-1, Code of Alabama 1975, is hereby amended to read as follows:

"§ 12-15-1.

"When used in this chapter, the following words and phrases shall have the following meanings, respectively, unless the context clearly indicates otherwise:

"(1) ADULT. An individual 19 years of age or older.

"(2) AFTERCARE. Such conditions and supervision as the court orders after release of legal custody.

"(3) CHILD. Such term means an individual under the age of 18, or under 19 years of age and before the juvenile court for a matter arising before that individual's 18th birthday.

"(4) CHILD IN NEED OF SUPERVISION. A child who:

"a. Being subject to compulsory school attendance, is habitually truant from school; or

"b. Disobeys the reasonable and lawful demands of his parents, guardian or other custodian and is beyond their control; or

"c. Has committed an offense established by law but not classified as criminal or one applicable only to children; and

"d. In any of the foregoing, is in need of care or rehabilitation.

"(5) COMMIT. Transfer legal and physical custody.

"(6) CONSENT DECREE. An order, entered after the filing of a delinquency petition and before the entry of an adjudication order, suspending the proceedings and continuing the case of the child under supervision in the child's own home, under terms and conditions agreed to by all parties concerned.

"(7) COURT or JUVENILE COURT. The juvenile division of the district court or the juvenile division of the circuit court as established by this chapter.

"(8) DELINQUENT ACT. An act committed by a child that is designated a violation, misdemeanor or felony offense under the law of this state or of another state if the act occurred in another state or under federal law or a violation of a municipal ordinance, ~~provided, however, that traffic offenses, other than those charged pursuant to section 32-5A-191, committed by one 16 years of age or older, shall not fall within the jurisdiction of the juvenile court.~~ Provided, that such term shall not include traffic offenses committed by one 16 years of age or older, other than those charged pursuant to section 32-5A-191 or a municipal ordinance prohibiting the same conduct. Provided, further, such term shall not include any criminal act, offense or violation committed by a child who has previously been transferred for criminal prosecution pursuant to section 12-15-34 and convicted or adjudicated a youthful offender on the criminal charge.

"(9) DELINQUENT CHILD. A child who has committed a delinquent act and is in need of care or rehabilitation.

"(10) DEPENDENT CHILD. A child:

"a. Who, for any reason is destitute, homeless or dependent on the public for support; or

"b. Who is without a parent or guardian able to provide for his support, training or education; or

"c. Whose custody is the subject of controversy; or

"d. Whose home, by reason of neglect, cruelty or depravity on the part of his parent, parents, guardian or other person in whose care he may be, is an unfit and improper place for him; or

"e. Whose parent, parents, guardian or other custodian neglects or refuses, when able to do so or when such service is offered without charge, to provide or allow medical, surgical or other care necessary for such child's health or well-being; or

"f. Who is in such condition or surroundings or is under such improper or insufficient guardianship or control as to endanger his morals, health or general welfare; or

"g. Who has no proper parental care or guardianship; or

"h. Whose parent, parents, guardian or custodian fails, refuse or neglect to send such child to school in accordance with the terms of the compulsory school attendance laws of this state; or

"i. Who has been abandoned by his parents, guardian or other custodian; or

"j. Who is physically, mentally or emotionally abused by his parents, guardian or other custodian or who is without proper parental care and control necessary for his ~~well being~~ well-being because of the faults or habits of his parents, guardian or other custodian or their neglect or refusal, when able to do so, to provide them; or

"k. Whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child; or

"l. Who has been placed for care or adoption in violation of the law; or

"m. Who for any other cause is in need of the care and protection of the state; and

"n. In any of the foregoing, is in need of care or supervision.

"(11) DETENTION CARE. The temporary care of delinquent children or children alleged to be delinquent in secure custody pending court disposition or transfer to a residential facility or further care of a child adjudicated a delinquent.

"(12) GUARDIAN AD LITEM. A licensed lawyer appointed by

a court to defend or represent a child in any action to which such child may be a party.

"(13) **INTAKE OFFICE.** The office in the probation service or designee of the judge with the duty of primary contact with the law enforcement agency and complainants of children coming under the jurisdiction of the court.

"(14) **JUDGE.** Judge of the juvenile court as prescribed by this chapter.

"(15) **LAW ENFORCEMENT OFFICER.** Any person, however denominated, who is authorized by law to exercise the police powers of the state or local governments.

"(16) **LEGAL CUSTODIAN.** A person, agency or department, other than a parent or legal guardian, to whom legal custody of the child has been given by court order or who is acting in loco parentis.

"(17) **LEGAL CUSTODY.** A legal status created by court order which vests in a custodian the right to have physical custody of the child and to determine where and with whom he shall live within the state and the right and duty to protect, train and discipline him and to provide him with food, shelter, clothing, education and ordinary medical care, all subject to the powers, rights, duties, and responsibilities of the guardian of the person of the child and subject to any residual parental rights and responsibilities. An individual granted legal custody shall exercise the rights and responsibilities personally unless otherwise authorized by the juvenile court.

"(18) **MINOR.** An individual who is under the age of 19 years and who is not a 'child' within the meaning of this chapter.

"(19) **MULTIPLE NEEDS CHILD.** Children coming to the attention of the court whose needs require the services of two or more of the following entities: department of youth services, public school system (services for exceptional needs), department of human resources, department of public health, juvenile court probation services or department of mental health and mental retardation.

"(20) **PROBATION.** The legal status created by court order following an adjudication of delinquency or in need of supervision whereby a child is permitted to remain in a community subject to supervision and return to court for violation of probation at any time during the period of probation.

"(21) PROTECTIVE SUPERVISION. A legal status created by court order following an adjudication of dependency whereby a child is permitted to remain in his home subject to supervision and to return to the court for violation of protective supervision at any time during the period of protective supervision.

"(22) RESIDENTIAL FACILITY. A dwelling, other than a detention or shelter care facility, providing living accommodations, care, treatment and maintenance for children, including institutions, foster family homes, group homes, half-way houses and forestry camps, and, where not operated by a public agency, licensed or approved to provide such care.

"(23) RESIDUAL PARENTAL RIGHTS AND RESPONSIBILITIES. Those rights and responsibilities remaining with the parent after the transfer of legal custody or guardianship of the person, including, but not necessarily limited to, the right of visitation, the right to consent to adoption, the right to determine religious affiliation and the responsibility for support.

"(24) SHELTER CARE. The temporary care of children in group homes, foster care or other nonpenal facilities."

Section 2. Section 12-15-33, Code of Alabama 1975, is hereby amended to read as follows:

"§ 12-15-33.

"(a) ~~Except in the case of a child who has previously been transferred for criminal prosecution and convicted on the criminal charge pursuant to section 12-15-34, if~~ If it shall be ascertained during the pendency of a criminal or quasi-criminal charge that a defendant was a child, as defined in this chapter, at the time of the alleged offense, that court, which shall have the duty to ascertain such age, shall forthwith transfer the case, together with all the papers, documents and transcripts of any testimony connected therewith, to the juvenile court. The transferring court shall order that the juvenile be taken forthwith to the place of detention designated by the juvenile court or to the juvenile court itself or shall release him to the custody of his parent or guardian or other person legally responsible for him or under his own recognizance, to be brought before the court at a time designated by it. The accusatory pleading may serve in lieu of a petition in the juvenile court, unless that court directs the filing of a petition. The juvenile court shall then proceed as provided in this chapter. All action taken by the court prior to transfer of the case shall be deemed null and void unless the juvenile

court transfers under section 12-15-34.

"(b) The provisions of subsection (a) of this section requiring transfer of cases involving a child to the juvenile court shall not apply to a child who has been previously transferred for criminal prosecution and convicted or adjudicated a youthful offender on the criminal charge pursuant to section 12-15-34 or a child 16 years of age or older charged with a traffic offense other than driving under the influence of alcohol and/or controlled substances in violation of section 32-5A-191 or a municipal ordinance prohibiting the same conduct."

Section 3. Section 12-15-65, Code of Alabama 1975, is hereby amended to read as follows:

"§ 12-15-65.

"(a) Hearings under this chapter shall be conducted by the court without a jury and separate from other proceedings. The general public shall be excluded from delinquency, in need of supervision or dependency hearings and only the parties, their counsel, witnesses and other persons requested by a party shall be admitted. Such other persons as the court finds to have a proper interest in the case or in the work of the court may be admitted by the court on condition that such persons refrain from divulging any information which would identify the child or family involved. If the court finds that it is in the best interest of the child, his presence may be temporarily excluded from the hearings, except while allegations of delinquency or in need of supervision are being heard.

"(b) The parties shall be advised of their rights under law in their first appearance at intake and before the court. They shall be informed of the specific allegations in the petition and given an opportunity to admit or deny such allegations.

"(c) If the allegations are denied, the court shall proceed to hear evidence on the petition. The court shall record its findings on whether or not the child is a dependent child or, if the petition alleges delinquency or in need of supervision, as to whether or not the acts ascribed to the child were committed by him. If the court finds that the allegations in the petition have not been established, it shall dismiss the petition and order the child discharged from any detention or temporary care theretofore ordered in the proceeding.

"(d) If the court finds on proof beyond a reasonable doubt, based upon competent, material and relevant evidence, that a child committed

the acts by reason of which he is alleged to be delinquent or in need of supervision it may proceed immediately to hear evidence as to whether the child is in need of care or rehabilitation and to file its findings thereon. In the absence of evidence to the contrary, evidence of the commission of an act which constitutes a felony is sufficient to sustain a finding that the child is in need of care or rehabilitation. If the court finds that the child is not in need of care or rehabilitation, it shall dismiss the proceedings and discharge the child from any detention or other temporary care theretofore ordered.

"(e) If the court finds from clear and convincing evidence, competent, material and relevant in nature, that the child is dependent and in need of care or supervision or from clear and convincing evidence, competent, relevant and material in nature, that the child is in need of care or rehabilitation as a delinquent child or a child in need of supervision, or from clear and convincing evidence, competent, relevant and material in nature that parental rights should be terminated the court may proceed immediately, in the absence of objection showing good cause or at a postponed hearing, to make proper disposition of the case.

"(f) In disposition hearings all relevant and material evidence helpful in determining the questions presented, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though not competent in a hearing on the petition. The parties or their counsel shall be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports.

"(g) A statement made by a child under the age of 12 describing any act of sexual conduct performed with or on the child by another, not otherwise admissible by statute or court rule, is admissible in all dependency cases brought by the state of Alabama acting by and through a local department of human resources if:

"(1) Said statement was made to a social worker, child sex abuse therapist or counselor, licensed psychologist, physician or school or kindergarten teacher or instructor; and

"(2) The court finds that the time, content and circumstances of the statement provide sufficient indicia of reliability. In making its determination the court may consider the physical and mental age and maturity of the child, the nature and duration of the abuse or offense, the relationship of the child to the offender, and any other factor deemed appropriate.

"A statement may not be admitted under this section unless the proponent of the statement makes known to the adverse party his intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the adverse party with a fair opportunity to rebut the statement. This child hearsay exception applies to all hearings involving dependency including, but not limited to, the 72-hour hearing, the dependency hearing and the disposition hearing.

"(h) This exception contained herein shall not apply to a criminal proceeding or charge.

"(i) On its own motion or that of a party, the court may continue the disposition hearing under this section for a reasonable period to receive reports and other evidence bearing on the disposition or need for care or rehabilitation. In this event, the court shall make an appropriate order for detention or temporary care for the child or his release for detention or temporary care during the period of the continuance subject to such conditions as the court may impose.

"(j) A proceeding to allow a child to withdraw from school shall be commenced by petition. The petition shall be granted only upon a showing of good cause for withdrawal ~~and only to a child 16 years of age or older~~. No child shall be deemed incorrigible, in need of supervision or unamenable to treatment based on the filing of such petition."

Section 4. Section 12-15-71.1, Code of Alabama 1975, is hereby amended to read as follows:

"§12-15-71.1

"(a) The juvenile court may find a child to be a serious juvenile offender if:

"(1) The child is adjudicated delinquent and the delinquent act or acts charged in the petition would constitute any of the following if committed by an adult:

"a. Class A felony;

"b. A felony resulting in serious physical injury [as defined in section ~~13A-1-2(8)~~ 13A-1-2(9)];

"c. A felony involving physical force [section ~~13A-1-1(10)~~ 13A-1-2(10)], or a deadly weapon [section 13A-1-2(11)], or a dangerous instrument [section 13A-1-2(12)]; or

"(2) The child has been adjudicated delinquent for an act which would constitute a Class A or B felony or burglary in the third degree involving a residence and the child has previously been adjudicated delinquent of two previous acts which would have been a Class A or B felony or burglary in the third degree involving a residence if such acts had been committed by an adult.

"(b) A child found to be a serious juvenile offender shall be committed to the custody of the Alabama department of youth services, where he shall remain for a minimum of one year.

"(c) A serious juvenile offender review panel shall be created by the board of the Alabama department of youth services. The serious juvenile offender review panel shall review quarterly the progress of each serious juvenile offender and determine at the end of the one year term served by each child, a further treatment plan for that child. The panel may extend the commitment, order alternative treatment or release the child. The serious juvenile offender review panel must provide the court with all reports and recommendations, and notify the judge in writing of the decision to release the child at least 30 days in advance of said release.

"(d) The Alabama department of youth services shall maintain and staff a separate, secure facility and implement programs for serious juvenile offenders. The minimum one-year term required by this section shall be served at said facility and the review panel may extend the period of confinement in said facility as determined necessary.

"(e) Nothing in this section shall be construed to prevent the juvenile court from transferring a child for criminal prosecution pursuant to section 12-15-34."

Section 5. All laws or parts of laws which conflict with this act are hereby repealed. The provisions of this act are cumulative and shall not be construed to repeal or supercede any laws not inconsistent herewith, specifically Section 16-28-3, Code of Alabama 1975, establishing the compulsory school attendance age, which shall remain in full force and effect.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, SB 287, as amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

On motion of Senator Bedsole, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 287.

BUDGET ISOLATION RESOLUTION

Senator Lindsey requested and received permission to suspend the Rules in order to bring up the Bill, SB 512.

Senator Lindsey, B.I.R., SB 512, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 512. To amend §36-27-23 of the Code of Alabama 1975, relating to the Employees' Retirement System of Alabama so as to provide for representation thereon for members of local units, to prescribe a method for their election and to provide for their terms of office.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

On motion of Senator Lindsey, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 512.

BUDGET ISOLATION RESOLUTION

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill, SB 429.

Senator Corbett, B.I.R., SB 429, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 429. To make an appropriation from the state general fund to

the Department of Economic Development and Community Affairs, to make grants to promote the development and expansion of small business incubators and entrepreneurial services throughout the state that qualified public entities may use to facilitate access to other grant or local funds for this purpose; to name the contents of this bill and the programs established by the Alabama Small Business Incubator Act; to authorize the regional revolving loan policy committee established in Act 90-650 to administer this act; to authorize the said regional revolving loan policy committee to establish an advisory committee of knowledgeable entrepreneurial economic developers to assist in the duties of the committee; to provide appropriate resources for the administration of the programs established by the enactment of this bill; and to authorize the Department of Economic Development and Community Affairs to promulgate and implement rules and procedures for the administration of programs.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 429.

BUDGET ISOLATION RESOLUTION

Senator Lindsey requested and received permission to suspend the Rules in order to bring up the Bill, SB 501.

Senator Lindsey, B.I.R., SB 501, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner,

Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 501. Relating to community development districts; to define and provide for the establishment of community development districts; and to prescribe the method by which alcoholic beverages may be lawfully sold within such districts.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Bolling requested and received permission to suspend the Rules in order to bring up the Bill, HB 292.

Senator Bolling, B.I.R., HB 292, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 292. To amend Section 34-23-1, and 34-23-32, Code of

Alabama 1975, which requires the annual registration of drug manufacturers with the state board of pharmacy, so as to likewise require wholesale distributors of drugs to register annually with said board, and to increase the board's fee for permits and renewals of permits.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Waggoner requested and received permission to suspend the Rules in order to bring up the Bill, HB 423.

Senator Waggoner, B.I.R., HB 423, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 423. To amend sections 22-52-2, 22-52-3, 22-52-4, 22-52-6, 22-52-7, 22-52-8, 22-52-9, 22-52-11, 22-52-12, 22-52-13, and 22-52-15, Code of Alabama 1975, relating to mental health and mental retardation, so as to provide further for the involuntary commitment, discharge and transfer of persons in state institutions; to prescribe definitions; to provide for new commitment criteria for persons whom petitions for involuntary commitment have been filed and to grant the

department the authority to designate mental health facilities to receive persons for evaluations, admissions, detention, treatment and discharge; to allow designated mental health facilities to contract with public or private mental health facilities, subject to approval by the department, for care and treatment of committed persons; to allow the probate court the alternative to commit a respondent to outpatient treatment; to create standards that the probate court must follow in ordering outpatient treatment and to set a time limit on the outpatient treatment order; to create criteria for inpatient treatment, to set time limits on the order for inpatient commitment, and to provide a mechanism whereby an inpatient commitment order may be extended; to provide for the appointment of special probate judges to consider, hear and enter appropriate orders with regard to the renewal of commitment orders; to allow the transfer of a respondent committed to inpatient treatment to another treatment facility; to grant all persons acting in good faith in connection with the evaluation, examination, certification, testing, admission, detention, treatment or discharge of any respondent, freedom from all civil liability by reason of such action; to specifically repeal sections 22-52-1 and 22-52-10 of the Code of Alabama 1975; and to provide for an effective date.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill, HB 27.

Senator Little, B.I.R., HB 27, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner,

Wilson, and Windom

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 27. To amend Sections 12-19-171, 12-19-172, 12-19-175, 12-19-178 and 12-19-179, Code of Alabama 1975, so as to increase certain fees in traffic infraction and misdemeanor cases in district and circuit court and to provide for the distribution of the fee increase.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill, HB 183.

Senator Bailey, B.I.R., HB 183, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 183. To establish an Act relating to preschool special educa-

tion services for children with disabilities, ages 3 through 5 years, inclusive; to provide a free appropriate public education for preschool children with disabilities, ages 3 through 5 years, inclusive, in accordance with the Individuals with Disabilities Education Act, previously known as the "Education of the Handicapped Act," Public Law 91-230 and all amendments thereto.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Wilson requested and received permission to suspend the Rules in order to bring up the Bill, SB 443.

Senator Wilson, B.I.R., SB 443, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 443. To provide further for juvenile court jurisdiction; to provide for courts exercising juvenile jurisdiction in dependency cases and remedies including: the option of entering an order of protection or restraint after notice and hearing, or on an emergency basis without

notice, to protect the health or safety of a child through issuance of an order to require persons: to stay away from the home, the child or the family; to vacate the home; to limit visitation rights; to deny access to the home; to refrain from the commission of certain acts; to cooperate with counseling, treatment, or service plans; to obtain and participate in counseling; to restrain abusive, disruptive or harassing behavior; to limit or restrict contact or communication with the child or family; to pay temporary support or the cost of treatment of the child or family; to provide further for issuance of an emergency order without prior notice and hearing followed by a later court hearing within a specified time; to provide that a protective or restraint order, after notice and hearing, may be modified or terminated; to provide for criminal penalties; to provide that person(s) violating such orders may be held in contempt of court and be ordered to pay court costs and attorney fees for wilful conduct; and to provide that the provisions of this act shall be construed in pari materia with sections 30-5-1 through 30-5-11, Code of Alabama 1975, as amended, which is the "Protection From Abuse Act" and other criminal laws relating to child abuse laws, except to the extent there are no conflicts with this act.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

On motion of Senator Wilson, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 443.

BUDGET ISOLATION RESOLUTION

Senator Owens requested and received permission to suspend the Rules in order to bring up the Bill, SB 482.

Senator Owens, B.I.R., SB 482, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 482. To amend Sections 2-3-24, 2-19-130, 2-26-71, 2-27-6, 2-27-30, 9-8A-3 and 41-9-243, Code of Alabama 1975, relating to the membership of certain committees, organizations and commissions acting in connection with farmers and agriculture, so as to reflect the change in name of Alabama Farm Bureau Federation to Alabama Farmers Federation; and to ratify and confirm all actions taken under the authority of said sections of the Code of Alabama 1975 by Alabama Farmers Federation or its officers, as the successor to Alabama Farm Bureau Federation.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Smith (J) requested and received permission to suspend the Rules in order to bring up the Bill, HB 326.

Senator Smith (J), B.I.R., HB 326, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 326. To prohibit those nonresidents fishing pursuant to sport fishing licenses provided for in Sections 9-11-55 and 9-11-56, Code of Alabama 1975, from taking or attempting to take fish from the public waters of this State by means of one or more trotlines having a combination of more than one hundred hooks, to require daily inspection of permissible trotlines and to prescribe certain criminal penalties.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, SB 645.

Senator Sanders, B.I.R., SB 645, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner,

Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 645. To increase the number of trustees on the Board of Trustees of Selma University and provide for their appointment.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

On motion of Senator Sanders, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 645.

BUDGET ISOLATION RESOLUTION

Senator Barron, B.I.R., SB 659, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

FURTHER CONSIDERATION OF SB 659

The Senate proceeded to further consideration of the Bill, SB 659.

And said Bill, SB 659, was read a third time at length and passed,

and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

On motion of Senator Barron, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 659.

BUDGET ISOLATION RESOLUTION

Senator Ellis requested and received permission to suspend the Rules in order to bring up the Bill, HB 354.

Senator Ellis, B.I.R., HB 354, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 354. To amend §40-17-31 (a) and §40-17-171, Code of Alabama, 1975, to provide that purchases of gasoline and lubricating oil by city and county boards of education, the Alabama Institute for Deaf and Blind, and the Department of Youth Services School District shall be exempt from taxation under the levy provided for in §40-17-31 (a) and §40-17-171, Code of Alabama, 1975.

was taken up.

Senator Ellis offered the following substitute for the Bill, HB 354,
to-wit:

SUBSTITUTE FOR HB 354

**A B I L L
T O B E E N T I T L E D
A N A C T**

To amend sections 40-17-31 and 40-17-240, Code of Alabama 1975, relating to gasoline and oil taxes, so as to provide an exemption for gasoline, motor fuel and oil purchased by city and county boards of education, the Alabama Institute for Deaf and Blind, and the Department of Youth Services School District.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 40-17-31 and 40-17-240, Code of Alabama 1975, are hereby amended as follows:

"§40-17-31.

"(a) Every distributor, refiner, retail dealer, storer or user of gasoline shall collect and pay over to the state department of revenue an excise tax of \$.07 per gallon upon the selling, use or consumption, distributing, storing or withdrawing from storage in this state for any use of gasoline as defined or otherwise referred to in this article, except gasoline sold for use as fuel to propel aircraft and which gasoline is subject to the tax imposed in subsection (d) of this section; and except gasoline and motor fuel, as defined in section 40-17-1, Code of Alabama 1975, sold for use by city and county boards of education, the Alabama Institute for Deaf and Blind, the department of youth services school district, and private and church schools as defined in section 16-28-1, and which offer essentially the same curriculum as offered in grades K-12 in the public schools of this state; provided that where any excise tax imposed by this section upon the sale, use or consumption, distribution, storage, withdrawal from storage in this state of such gasoline shall have been paid to the state by a distributor, refiner or by any retail dealer, storer or user, such payments shall be sufficient, the intent being that the tax shall be paid to the state but once.

"(b) The state department of revenue is hereby authorized to issue to the United States certificates of exemption, upon forms prescribed by the department for use by the United States in purchasing gasoline or other fuels taxed by this section within the state of Alabama

and which is paid for by the United States. Any person in reporting and paying the tax to the department may deduct the number of gallons of gasoline or other fuels taxed by this section sold to the United States, as shown by such certificate of exemption duly executed by the United States and filed with such report, and the department is authorized to adopt rules and regulations with respect to the issuance and use of such certificates.

"(c) The revenue, less the cost of collection and all refunds authorized by law, obtained from the \$.07 excise tax on gasoline, naphtha and other liquid motor fuels, or any device or substitute therefor commonly used in internal combustion engines, as is provided for in this section, shall not be used for any purposes other than the following, namely:

"(1) The legislature hereby finds as a fact that of all the gasoline sold in this state not less than thirty-five one hundredths of one percent thereof is used for marine purposes to propel vessels on inland and coastal waterways of this state. The legislature hereby declares that it is the policy of this state to use the funds derived from the sale of marine gasoline to improve boating and boating facilities, seafoods and salt water sports fishing in this state. Thirty-five one hundredths of one percent of all state imposed taxes collected on the sale of gasoline (except gasoline and other fuels consumed in airplanes) shall be credited as follows: 60 percent to the state water safety fund of the water safety division and 40 percent to the seafood fund of the seafood division.

"(2) The revenue arising from the sale of gasoline as herein defined, except gasoline sold for use as fuel to propel aircraft and which gasoline is subject to the tax imposed in subsection (d) of this section, for all other purposes shall not be used for any purpose other than for the construction, improvement, maintenance and supervision of highways, bridges and streets, including the retirement of bonds for the payment of which such revenues have been or may hereafter be pledged. The payment of the per diem and mileage of members of county governing bodies when engaged in supervising the construction, improvement and maintenance of highways, bridges and streets, shall be construed as used in supervision; however, the governing body of each county is authorized to expend an amount not to exceed one third of the total amount of such revenue that may be received by such county in the payment of any debt that may have been incurred by such county for the construction or maintenance of roads or bridges. This fund shall be allocated in the manner now provided by law. On the twentieth day of each month following that quarter of any fiscal year, all revenue derived from the sale of gasoline to be consumed in the motor of a boat or vessel

as defined in subdivision (1) of this subsection shall be allocated to the state water safety fund and seafood fund.

"(d)(1) Every distributor, refiner, retail dealer, storer or user of gasoline or any substitute or device therefor sold for use as a fuel to propel aircraft shall collect and pay over to the state department of revenue an excise tax in accordance with the following schedule upon the selling, use or consumption, distributing, storing or withdrawing from storage in this state for use as a fuel to propel aircraft:

"a. Gasoline or other fuel used to propel aircraft powered by reciprocating engines shall be taxed at the rate of two and seven tenths cents per gallon.

"b. Any fuel used to propel aircraft powered by jet or turbine engines shall be taxed at the rate of nine tenths of one cent per gallon.

"(2) On July 31, 1977, or as soon thereafter as practicable, and at the same time in every year thereafter, the commissioner of revenue shall determine the total number of gallons of fuel upon which the tax levied in subdivision (1) of this subsection has been reported and paid to the state during the preceding 12-month period, and at the same time he shall ascertain the total net amount of revenue produced by the tax levied thereon. If the net proceeds of the tax for such period amount to more than \$650,000.00, the rate of tax shall be reduced in decrements of three tenths of one cent per gallon with respect to the tax levied in paragraph a of subdivision (1) of this subsection and in decrements of one tenth of one cent per gallon with respect to the tax levied in paragraph b of subdivision (1) of this subsection to the extent required to maintain net collections for such period at a level of \$600,000.00. If at any time after such a reduction the rate of tax collections declines to the extent that the \$600,000.00 level for a similar 12-month period cannot be maintained, the rate of the tax shall be correspondingly increased in increments of three tenths of one cent per gallon with respect to the tax levied in paragraph a of subdivision (1) of this subsection and increments of one tenth of one cent per gallon with respect to the tax levied in paragraph b of subdivision (1) of this subsection to the extent required to maintain net collections for a similar period at a level of \$600,000.00. It is the legislative intent by the above provisions to maintain collections at a \$600,000.00 level per annum.

"(3) The revenue, less the cost of collection, obtained from the tax levied in subdivision (1) of this subsection shall be paid into the state treasury and be used exclusively for the purpose of paying the cost of acquiring, engineering, construction, improvement and maintenance of

existing or proposed airports and other air navigation facilities within the state, for the payment of the salary of the state director of aeronautics, the salaries of other employees of the Alabama department of aeronautics and for the payment of other administrative and aeronautical expenses of the Alabama department of aeronautics and for the further purpose of creating a sinking fund for the payment of the interest and retirement of the principal of all bonds which may be hereafter lawfully issued, sold and delivered for funds to be used exclusively for the enumerated purposes.

"(4) There is hereby exempted from the provisions of subdivision (1) of this subsection and from the excise tax imposed by this section the sale, use or consumption, distribution, storage or withdrawal from storage in this state of gasoline or any other fuel for use as a fuel to propel aircraft of a certificated or licensed air carrier with a hub operation within this state, for use in conducting intrastate, interstate or foreign commerce for transporting people or property by air. For the purpose of this subdivision, the words "hub operation within this state" shall be construed to have all of the following criteria;

"a. There originates from the location 15 or more flight departures and five or more different first-stop destinations five days per week for six or more months during the calendar year; and

"b. Passengers and/or property are regularly exchanged at the location between flights of the same or a different certificated or licensed air carrier.

"(c) Every distributor, refiner, retail dealer or storer of gasoline or other fuels taxed by this section shall add the amount of the excise tax levied and assessed herein to the price of the gasoline or other fuels taxed by this section, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer or user with distributor, refiner, retail dealer or storer, or in the case of a licensed user, acting merely as an agent of the state for the collection and payment of the tax to the state."

"§40-17-240.

"All Class 1 municipalities, city and county boards of education, the Alabama Institute for Deaf and Blind, the Department of Youth Services School District, and private and church schools as defined in section 16-28-1, and which offer essentially the same curriculum as offered in grades Kindergarten through 12 in the public schools of this state shall be exempt from the payment of any and all oil, gasoline and

diesel fuel taxes of any nature whatsoever, whether state, county or municipal."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 354, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ellis then requested and received permission to suspend the Rules in order to bring up the Bill, HB 325.

Senator Ellis, B.I.R., HB 325, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 325. To amend Sections 12-17-220 and 36-26-10, Code of Alabama 1975, relating to certain employees within the district attorneys' offices and the State Merit System, so as to provide that assistant district attorneys, investigators, clerical, secretarial and other personnel employed in a district attorney's office serve at the pleasure of the district attorney and are in the exempt service of the state and to provide for its retroactive effect.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill, HB 170.

Senator Langford, B.I.R., HB 170, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 170. To amend Section 40-16-6, Code of Alabama 1975,

which relates to the payment and distribution of financial institution excise taxes, so as to permit all incorporated municipalities to levy privilege license taxes on financial institutions.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Figures requested and received permission to suspend the Rules in order to bring up the Bill, HB 819.

Senator Figures, B.I.R., HB 819, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 819. To amend Section 11-43C-35, Code of Alabama 1975, relating to the compensation of the mayors of Class 5 Municipalities, so as to provide for such compensation and to provide for an effective date.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bolling requested and received permission to suspend the Rules in order to bring up the Bill, HB 73.

Senator Bolling, B.I.R., HB 73, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 73. To provide that the Department of Public Safety shall suspend the driver's license of any person convicted or adjudicated of violating Sections 13A-12-202, 13A-12-203, 13A-12-204, 13A-12-211, 13A-12-212, 13A-12-213, 13A-12-214, 13A-12-215, or 13A-12-231 of the Code of Alabama 1975.

was taken up.

On motion of Senator Bolling, the Rules were suspended and further consideration of the Bill, HB 73, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Mitchell requested and received permission to suspend the

Rules in order to bring up the Bill, HB 420.

Senator Mitchell, B.I.R., HB 420, adopted.

Yeas 24 Nays 0
Abstaining 1

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Waggoner, Wilson, and Windom -24

Nays: - 0

Abstaining: Senator Smith (J) - 1

BILLS ON THIRD READING RESUMED

THE BILL:

H. 420. To amend Section 40-18-19(6), Code of Alabama 1975, relating to exemptions from state income taxes, so as to exempt all payments made to a retiree or beneficiary of a "defined benefit plan"; and to provide retroactive effect for the provisions hereof to January 1, 1991.

was read a third time at length and passed.

Yeas 24 Nays 0
Abstaining 1

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Waggoner, Wilson, and Windom -24

Nays: - 0

Abstaining: Senator Smith (J) - 1

BUDGET ISOLATION RESOLUTION

Senator Corbett requested and received permission to suspend the

Rules in order to bring up the Bill, SB 7.

Senator Corbett, B.I.R., SB 7, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 7. To amend Section 11-45-9.1, Code of Alabama 1975, which relates to the issuance of a summons and complaint by municipalities for violations of certain ordinances, so as to provide further for such violations.

was taken up.

The Standing Committee on Judiciary/Criminal Justice and Public Safety reported the following amendment to the Bill, SB 7, to-wit:

AMENDMENT TO SB 7

Amend Senate Bill No. 7, on Page 2, Line 1, as follows:

after the word "violation" add the following: ", as defined in Section 13A-1-2, Code of Alabama"

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, SB 7, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House upon engrossment.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

On motion of Senator Corbett, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 7.

BUDGET ISOLATION RESOLUTION

Senator Lindsey requested and received permission to suspend the Rules in order to bring up the Bill, SB 579.

Senator Lindsey, B.I.R., SB 579, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 579. To amend Sections 28-2A-1, 28-2A-3 and 28-2A-4 of the Code of Alabama 1975, relating to elections as to sale and distribution of alcoholic beverages within municipalities, so as to provide further for such elections.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 24 Nays 1

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -24

Nay: Senator Windom

- 1

On motion of Senator Lindsey, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 579.

BUDGET ISOLATION RESOLUTION

Senator Preuitt requested and received permission to suspend the Rules in order to bring up the Bill, SB 466.

Senator Preuitt, B.I.R., SB 466, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 466. To amend section 38-10-9, Code of Alabama 1975, which provides for the department of human resources to conduct investigations regarding financial ability of parents who owe child support, so as to authorize the department to conduct investigations to locate absent parents; to provide a penalty for failure to provide information; and to require private employers upon written request to furnish the department with certain information regarding a parent or putative parent in their employ; to amend section 38-10-12, Code of Alabama 1975, so as to exclude federal and state offset collections and disregard payments from the requirement that child support collections be disbursed within five days of receipt, in order to clarify compliance

with other state law and federal regulations.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

On motion of Senator Preuitt, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bill, SB 466.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 412. To amend Section 12-18-87 of the Code of Alabama 1975, relating to probate judges' retirement benefits, so as to provide further for said probate judges' retirement benefits.

JIM PREUITT,
Chairperson.

BUDGET ISOLATION RESOLUTION

Senator Parsons requested and received permission to suspend the Rules in order to bring up the Bill, HB 132.

Senator Parsons, B.I.R., HB 132, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,

Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 132. To amend Section 11-81-21, Code of Alabama 1975, relating to investment of municipal or county funds, so as to permit municipal and county funds to be invested in certain open-end or closed-end investment trusts which are invested in direct obligations of the United States of America or repurchase agreements respecting such U. S. obligations.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Bedsole requested and received permission to suspend the Rules in order to bring up the Bill, HB 57.

Senator Bedsole, B.I.R., HB 57, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 57. To amend §27-8-10, Code of Alabama 1975, so as to reduce the waiting period for a person who failed to pass two examinations for licensing as a life or disability insurance agent; to reduce said waiting period for a person being examined for licensing as a property and casualty agent pursuant to §27-7-10, Code of Alabama 1975; and to expressly repeal §27-7-16, Code of Alabama 1975.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

UNANIMOUS CONSENT GRANTED

Senator Windom requested unanimous consent to suspend the remainder of the Special Order, SR 152, which motion was granted.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 391. Relating to Jefferson County; to provide for the orderly and efficient collection of municipal business license taxes with respect to corporations, firms, brokers, agents and other engaged in the business of buying, selling, leasing, renting, managing or representing others in the purchase, sale or lease of real property; and providing for an effective date.

was taken up.

On motion of Senator Hilliard, the Rules were suspended and further consideration of the Bill, SB 391, was postponed.

THE BILL:

S. 489. To amend Section 3.05 of Act No. 452, H. 974, 1955

Regular Session (Acts 1955, p. 1004), as amended, which provided for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the 1970 federal decennial census, now defined by statute as Class 1 municipalities and applicable only to the City of Birmingham, so as to authorize an increase in the salaries of members and the President of the City Councils of Class 1 municipalities, to eliminate payment of expense allowances to such Council members as provided for in Section 11-43-7.1(a) of the Code of Alabama 1975, and to specify when such increased salaries shall become effective.

was taken up.

On motion of Senator Hilliard, the Rules were suspended and further consideration of the Bill, SB 489, was postponed.

THE BILL:

S. 562. Relating to Fayette County; to designate and fix the boundaries of an area in Fayette County to be known as The Tom Bevill Reservoir Management Area; to provide for and authorize the incorporation of a public corporation as a political subdivision of the state to be named The Tom Bevill Reservoir Management Area Authority for the development of that portion of North River in Fayette County and within the boundaries of The Tom Bevill Reservoir Management Area as created and defined by this act, its tributaries and watershed area, for the purposes of water conservation and supply, dam construction and reservoir development, for industrial development, flood control, navigation, irrigation, public recreation and related purposes; to provide for the composition of the board of directors of the authority; to specify the powers and duties of the authority and its board of directors; to authorize the authority to investigate the resources of The Tom Bevill Reservoir Management Area, to determine and implement the requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the authority; to provide for the issuance by the authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the authority or out of the revenues of any particular facilities and other property of the authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have

been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the authority for the proper application of its revenues and the proceeds of such bonds and notes and by a nonforeclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the authority of obligations respecting facilities and other property acquired by the authority; to provide for the use of the proceeds of bonds and notes issued by the authority; to provide for the refunding by the issuance of bonds and notes of the authority, of bonds and notes theretofore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or other political subdivision of the state; to authorize the Fayette County commission and the municipalities located therein to contribute money to the authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this state, the authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the authority is a party, and to exempt the authority from payment of certain charges to judges of probate; to grant to the authority the power to levy and collect within the boundaries of the management area certain excise taxes, sales taxes, and ad valorem taxes; to provide that the authority shall have zoning power within the boundaries of the management area; to provide that the authority shall be exempted from regulation and supervision by the public service commission and the state department of finance; to provide for the use of public roads in the state by the authority; and to provide for certain annual reports by the authority.

was taken up.

On motion of Senator Windom, the Rules were suspended and further consideration of the Bill, SB 562, was postponed.

THE BILL:

S. 566. To propose an amendment to the Constitution of Alabama of 1901 to authorize in Fayette County the incorporation of The Tom Bevill Reservoir Management Area Authority for the purposes of

water conservation and supply, dam construction and reservoir development, for industrial development, flood control, navigation, irrigation, public recreation and related purposes.

was taken up.

On motion of Senator Windom, the Rules were suspended and further consideration of the Bill, SB 566, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Windom, B.I.R., HB 708, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Campbell, Corbett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), and Wilson
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 708. Relating to Pickens County; repealing Act No. 83-706, H. 857, 1983 Regular Session and Act No. 84-554, 1984 Regular Session, which provide for assessments on forest lands for fire protection.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Campbell, Corbett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), and Wilson
-25

Nays:

- 0

THE BILL:

H. 684. To repeal Section 36-15-5, Code of Alabama 1975, and

to provide for additional personnel and further duties of the Office of the Attorney General and to establish an additional means of funding therefor and to appropriate the Fund herein created.

was taken up.

On motion of Senator Windom, the Rules were suspended and further consideration of the Bill, HB 684, was postponed subject to the call of the Chair.

THE BILL:

S. 682. Relating to the compensation of the constables in Mobile County, Alabama, and service fees.

was taken up.

On motion of Senator Bedsole, the Rules were suspended and further consideration of the Bill, SB 682, was postponed subject to the call of the Chair.

NOTICE IN WRITING

Senator Preuitt offered the following Notice in Writing, to-wit:

NOTICE IN WRITING

Notice is hereby given that, as provided for by Rule 36 of the Senate Rules, on the next legislative day a motion in writing to amend the Senate Rules will be introduced as follows:

Rule No. 49. Change twenty-three (23) standing committees to twenty-five (25) standing committees in the first sentence of this rule.

At the conclusion of this rule, after the description of (24) Local Legislation No. 3, add a new standing committee to be designated and described as follows:

(25) Select Committee on Fiscal Responsibility, to which may be referred any bill or matter relating to the economy or financial status of the State of Alabama or the citizens therein, as deemed by appropriate by the President of the Senate. In addition, the Committee may study long range revenue forecasting, budget expenditures, bonded indebtedness or refinancing of bonded indebtedness that may be deemed appropriate by

the President of the Senate. The Committee shall consider and report to the Senate on the implications of recommendations made by any Fiscal/Tax Study Committee created by the Legislature or the executive branch and shall study and report on the effectiveness of fiscal policies and procedures used by agencies of the executive branch. This committee may conduct studies on fiscal policies of other states and report same to the Senate on or before the seventh legislative day of any regular session. The Select Committee on Fiscal Responsibility shall consist of five (5) members.

Which was read and filed with the Secretary.

BILLS ON THIRD READING RESUMED

THE BILL:

S. 683. Relating to the office of constable in Mobile County; providing for the duties of such office; prohibiting certain officers from bearing any firearms or weapons in the performance of the duties as constable.

was taken up.

On motion of Senator Bedsole, the Rules were suspended and further consideration of the Bill, SB 683, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., SB 702, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Hilliard, Horn, Langford, Lindsey, Lipscomb, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 702. Relating to Chilton County, to provide for an additional

expense allowance for the tax collector.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Hilliard, Horn, Langford, Lindsey, Lipscomb, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 703, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, and Smith (B) -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 703. Relating to Shelby County; repealing Act No. 1886, H. 2579, 1971 Regular Session, which provides for an assessment on forest lands for fire protection.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Hale, Hilliard, Horn, Langford, Lindsey,

Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders,
and Smith (B) -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., SB 704, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton,
Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford,
Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Sanders,
Smith (B), Smith (J), and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 704. Relating to Chilton County; authorizing the county
coroner to appoint deputies.

was read a third time at length and passed, and ordered sent forthwith to
the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton,
Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford,
Lindsey, Lipscomb, Little, Mitchell, Owens, Preuitt, Sanders,
Smith (B), Smith (J), and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 707, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Hale, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 707. Relating to the City of Alabaster in Shelby County; authorizing an additional ad valorem tax and providing for a referendum.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Hale, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., SB 710, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Foshee, Hale, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 710. Relating to Cullman County, to amend Sections 1 and

12 of Act No. 83-778, S. 559, 1983 Regular Session (Acts 1983, p. 1426), which act levies a county hotel-motel lodging tax, so as to increase said tax, and to provide further for the use of the proceeds of such tax.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Foshee, Hale, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., SB 715, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 715. Relating to Chilton County; providing certain additional compensation for the poll workers to be paid from the county general fund.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 718, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 718. To provide that the Shelby County Commission may provide office space for a Constituency Office to assist the members of the Shelby County Delegation to the Legislature in serving their constituents.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 719, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton,
Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:****S. 719.** Relating to Shelby County; providing further for the
compensation of the circuit clerk of the county.was read a third time at length and passed, and ordered sent forthwith to
the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton,
Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, and Wilson -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 720, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton,
Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 720. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 721, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 721. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Wilsonville, in Shelby County, to

provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Wilsonville.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson
-25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 722, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson
-25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 722. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Calera in Shelby County.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton,

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Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson
-25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 723, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson
-25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 723. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson
-25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., SB 725, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Floyd, Foshee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), and Smith (J) -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

S. 725. Relating to Cullman County; to amend Section 1 of Act No. 1247, H. 1642, Regular Session 1971 (Acts 1971, p. 2147), relating to the issuance of pistol permits so as to increase the fee therefor.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Floyd, Foshee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), and Smith (J) -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., SB 726, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 726. Relating to Shelby County, Alabama; to provide for the creation, maintenance and regulation of public corporations for the purpose of forming units for preventing and fighting fires and providing emergency services to sustain life, health and property, and to prescribe conditions and regulations relative to the creation of such public corporations; to prescribe the organizational structure, rights and powers of such public corporations; to prescribe certain limitations on the rights and powers of such public corporations and to provide for elections on questions of formation, indebtedness and financial support of such corporations.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bailey, B.I.R., HB 613, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 613. Relating to compensation for the sheriff of Houston

County; providing for an increase in such compensation commencing with the next term of office.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bailey, B.I.R., HB 614, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 614. Relating to Houston County; providing an additional expense allowance for the sheriff of Houston County; and providing for an expiration date thereof.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner,

Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Bailey, B.I.R., HB 622, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 622. Relating to the City of Dothan in Houston County; to amend further Section 4 of Act No. 103, H. 363, Regular Session 1953 (Acts of Alabama 1953, p. 145), entitled "An Act to Establish a City of Dothan Pension and Retirement System," and as amended by Act No. 82-208, which act relates to the City of Dothan's Pension and Retirement System, so as to provide further for the authorized investments of the Pension Board.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Denton, B.I.R., HB 841, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, and Smith (J) -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 841. Relating to Lauderdale County and compensation for sheriff; providing further for the county supplement for such sheriff; and providing an effective date.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, and Smith (J) -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B.I.R., HB 850, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Sanders, Smith (B), Smith (J), and Waggoner -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 850. Relating to Marshall County, the probate judge shall not receive for record or permit the recording of any instrument, conveying title or any interest in real property that does not have legibly printed, typewritten or stamped thereon the grantee's name and latest complete address.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Sanders, Smith (B), Smith (J), and Waggoner
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B.I.R., HB 852, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Sanders, Smith (B), Smith (J), and Waggoner
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 852. Relating to Marshall County; to provide that the notice required to be given to delinquent taxpayers prior to the sale for taxes of their property be given by publication; to provide that trials be held to determine whether such sale should be ordered; to provide a method to

give notice to delinquent property owners to show cause why a decree of sale should not be rendered against them; to provide a method for the sale of said property and the report of the amount of taxes collected from said sale.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Sanders, Smith (B), Smith (J), and Waggoner -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 864, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Sanders, Smith (B), Waggoner, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 864. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Camden in Wilcox County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Ellis,

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Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Sanders, Smith (B), Waggoner, and Wilson -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B.I.R., HB 851, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Parsons, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 851. Relating to Marshall County; providing further for selling and redeeming lands for taxes.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Parsons, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 913, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 913. Relating to Chilton County; to repeal Act No. 90-304, 1990 Regular Session, entitled "An Act Relating to Chilton County, Alabama, to allow, in addition to the uses now otherwise allowed, the use of funds collected or obtained pursuant to the provisions of Title 11, Subtitle 3, Chapter 98, Code of Alabama 1975, by communications districts in said county, for the purchasing of road and street signs necessary for roads and streets which are renamed in order to establish E 911 service, due to the local needs of Chilton County not having been otherwise provided for by other legislation."

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Little, B.I.R., HB 951, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn,

Langford, Lindsey, Little, Mitchem, Owens, Preuit, Waggoner, Wilson
and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 951. Relating to Tallapoosa County; amending Act No. 81-419, H. 906, 1981 Regular Session, which relates to the compensation of election officials, so as to increase said compensation.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Mitchem, Owens, Preuit, Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 958, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 958. Relating to Cullman County; abolishing the office of constable and providing an effective date.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Campbell, B.I.R., HB 978, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Hale, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 978. Relating to the Town of Priceville in Morgan County, Alabama; to validate, in certain cases, annexations heretofore held by the Town of Priceville.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Hale, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Preuit, B.I.R., HB 981, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuit, Smith (B), Smith (J), Waggoner, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 981. To authorize the city council of the City of Sylacauga, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Sylacauga, on all taxable property situated within the City of Sylacauga, the special ad valorem tax for public school purposes which is authorized in Amendment No. 56 to the Constitution, to a maximum rate, for any tax year of the city, which is equal to \$2.10 on each one hundred dollars (21 mills on each dollar) of assessed value.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuit, Smith (B), Smith (J), Waggoner, and Wilson -25

Nays:

- 0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Senator Hale, further consideration of all Senate Bills remaining on the Calendar, with the exception of the Bills, SB's 137, 162, 310, 316, 359, 371, 385, 440, 682, 706, 729, and 730, was

indefinitely postponed by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Campbell, B.I.R., HB 983, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Campbell, deGraffenried,
Denton, Dixon, Ellis, Figures, Floyd, Foshee, Hale, Hilliard, Langford,
Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Waggoner,
Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 983. Relating to Morgan County; providing for an expense allowance for the members of the jury commission.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Campbell, deGraffenried,
Denton, Dixon, Ellis, Figures, Floyd, Foshee, Hale, Hilliard, Langford,
Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Waggoner,
Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Foshee, B.I.R., HB 986, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Foshee, Hale, Lindsey, Lipscomb, Little,

Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B),
Smith (J), Waggoner, and Wilson -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 986. Relating to the City of Opp in Covington County; authorizing an additional ad valorem tax to be used for the general educational purposes and providing for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Foshee, Hale, Lindsey, Lipscomb, Little,
Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B),
Smith (J), Waggoner, and Wilson -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B.I.R., HB 987, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon,
Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford,
Lindsey, Lipscomb, Little, Mitchem, Sanders, Smith (B), Smith (J), and
Waggoner -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 987. Relating to Blount County; providing for the merging of the budgetary operations of the Revenue Commissioner's office; provid-

ing that said office shall be financed on a pro rata share basis from proceeds of state, county and municipal ad valorem taxes collected in the county; and providing for supplemental effect.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Sanders, Smith (B), Smith (J), and Waggoner -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Windom, B.I.R., HB 1002, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1002. Relating to Mobile County, providing for additional compensation to members of the board of directors of certain public utility authorities.

was read a third time at length and passed.

Yeas 25 Nays 1

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Figures, Foshee, Ghee, Hale, Hilliard, Horn, Langford,

Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders,
Smith (B), Smith (J), and Waggoner -25

Nay: Senator Windom - 1

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., SB 732, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard,
Horn, Langford, Lindsey, Lipscomb, Little, Owens, Sanders, Smith (J),
Waggoner, and Wilson -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 732. Relating to Dallas County; providing for fire protection in certain areas of the county; levying a special fire protection property tax; providing for certain exemption from such tax and for collection of such tax; providing for disposition of funds from such tax to the county fire association and to the volunteer fire departments; providing for expenditure and accounting of such funds; providing for treatment of funds upon dissolution or abandonment of a volunteer fire department; granting immunity from certain liability to the county and providing for a referendum election on the provisions of this act.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard,
Horn, Langford, Lindsey, Lipscomb, Little, Owens, Sanders, Smith (J),
Waggoner, and Wilson -25

Nays: - 0

RULE 35 SUSPENDED

On motion of Senator Ellis, the provisions of Rule 35 (b) were suspended to allow transmittal to the House of the Bills, SB's 482, 501, 702, 703, 704, 707, 710, 715, 718, 719, 720, 721, 722, 723, 725, 726, and 732.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills and finds same correctly engrossed, to-wit:

S. 12. Providing that it shall be unlawful to discharge a fire-arm without certain permission within a certain distance of a school or occupied house, residence or dwelling and prescribing penalty for such offense.

Also:

S. 199. To provide for counselling and therapy for sworn law enforcement officers in the State of Alabama who suffer from stress of any nature as a result of any work-related trauma to an extent that it interferes with their ability to effectively carry out their duties and to provide that such counselling and therapy be made available under the terms of the mental health and substance abuse services contracts between the Alabama Department of Mental Health and Mental Retardation and community programs to the extent that public funds may be made available for such services.

Also:

S. 343. To create a new circuit judgeship in the tenth judicial circuit, Bessemer cut-off division; to create one additional circuit judgeship in the fifteenth judicial circuit; to create one additional new circuit judgeship in the nineteenth judicial circuit which shall be designated judgeship No. 3, and to provide for the election, authority and compensation of such judges.

JIM PREUITT,
Chairperson.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 7. To amend Section 11-45-9.1, Code of Alabama 1975, which relates to the issuance of a summons and complaint by municipalities for violations of certain ordinances, so as to provide further for such violations.

JIM PREUITT,
Chairperson.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, and finds same correctly engrossed, to-wit:

S. 287. To amend the Alabama Juvenile Justice Act, Sections 12-15-1, 12-15-33, 12-15-65, 12-15-71.1, Code of Alabama 1975, so as to define further the term "Delinquent Act"; to provide further for the transfer of certain cases to the juvenile court from other courts; to provide further for the proceeding to allow a child to withdraw from school; and to correct typographical errors in certain Code citations.

JIM PREUITT,
Chairperson.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor with the date and hour of delivery, to-wit:

SJR 22

SB 61

SB 475

SJR 110	SB 295	SB 476
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SJR 121	SB 484	SB 498
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SB 455	SB 405	SB 424
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SB 59	SB 408	SB 499
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Delivered to the Governor, July 17, 1991, at 12:15 P.M.

SB 27	SJR 138	SJR 146
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SJR 132	SJR 139	SJR 147
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SJR 134	SJR 141	SJR 148
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SJR 136	SJR 142	
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SJR 137	SJR 143	
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Delivered to the Governor, July 17, 1991, at 8:55 P.M.

McDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

The hour of Midnight having arrived, in accordance with Motion heretofore adopted, the Senate adjourned until Thursday, July 18, 1991, at 8 o'clock A.M.

TWENTY-NINTH LEGISLATIVE DAY

THURSDAY, JULY 18, 1991

The Senate met pursuant to adjournment, Lieutenant Governor Folsom presiding.

PRAYER

The Session was opened with prayer by Senator George R. Bolling, Sixth Senatorial District.

PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Demetrias Crosby, Baldwin Junior High School, Montgomery, Alabama.

ROLL CALL

Present:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

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REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JIM PREUITT,
Chairperson.

COMMITTEE REPORT

On motion of Senator Preuitt, the foregoing report was concurred in and approved by the Senate.

JOURNAL

And on motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same adopted by the Senate.

LEAVE OF ABSENCE

On motion of Senator deGraffenried, leave of absence was granted Senator Dial for today.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

SR 153. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-ninth legislative day of the 1991 Regular Session only:

Inst Id	Page
H. 477 State agencies, electronic transfer of funds, auth.	5
H. 251 Council for Parenting and Protecting Children, Inc., approp.	29
H. 231 Lighthouse Counseling Center, approp.	20
H. 233 Health Dept., approp.	21
H. 243 Commission on Aging, Care Assurance System, approp.	21
H. 244 Beacon House - Jasper, approp.	22
H. 248 Coalition Against Domestic Violence, approp.	22

**REGULAR SESSION
29th Day**

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H. 250	23
Child Advocacy Centers, approp.	
H. 258	23
Retired Senior Volunteer Program, approp.	
H. 266	30
Highway dept., contingency fund repayment transferred funds reg. Act 86-645 1st Sp. Sess. 1986 am'd.	
H. 267	31
Capitol Complex Maintenance and Repair Fund of Finance Dept., transfer of cert. funds from to gen. fund eliminated, Act 90-764, Reg. Sess. 1990 am'd.	
H. 265	30
State capitol, occupants req. pay rent, Sec. 41-4-17 am'd.	
H. 370	16
Income tax, confidentiality of returns reg., penalties for violation, Secs. 40-18-52, 40-1-33 am'd.	
H. 371	24
Use tax, out of st. businesses with Ala. nexus req. to collect, Sec. 40-23-68 am'd.	
H. 372	73
Unclaimed property held by out of st. intermediaries, recovery of reg.	

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 279. To provide for immunity for certain persons responding to certain oil spills.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

HJR 222. DESIGNATING "SCHOOL SUPPORT PERSONNEL WEEK" IN ALABAMA.

Also:

HJR 226. COMMENDING MEADOWVIEW ELEMENTARY SCHOOL ODYSSEY OF THE MIND TEAM.

Also:

HJR 227. COMMENDING MEADOWVIEW ELEMENTARY SCHOOL ODYSSEY OF THE MIND TEAM.

Also:

HJR 228. COMMENDING MORGAN ACADEMY ODYSSEY OF THE MIND TEAM.

Also:

HJR 229. MOURNING THE DEATH OF WILLIAM H. ARMBRECHT OF MOBILE, ALABAMA.

Also:

HJR 232. COMMENDING NEAL MIXSON HARDWICK FOR OUTSTANDING ACHIEVEMENT IN FUTURE BUSINESS LEADERS OF AMERICA.

Also:

HJR 233. COMMENDING SHARON DENISE RODGERS FOR OUTSTANDING ACHIEVEMENT IN FUTURE BUSINESS LEADERS OF AMERICA.

Also:

HJR 235. COMMENDING EARNEST L. COLVIN FOR DISTINGUISHED SERVICE TO THE ALABAMA PUBLIC SCHOOLS.

Also:

HJR 236. MOURNING THE DEATH OF EMMA KAHALLEY ZOGHBY OF MOBILE, ALABAMA.

Also:

HJR 237. COMMENDING LIVINGSTON UNIVERSITY ON THE 1991 GULF SOUTH CONFERENCE SOFTBALL CHAMPIONSHIP.

GREG PAPPAS,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

HJR 171. COMMENDING MARK FANCHER OF RED BAY HIGH SCHOOL FOR OUTSTANDING ACHIEVEMENT.

Also:

HJR 172. MOURNING THE DEATH OF DR. JAMES HILLIARD DUNKLIN, III, OF GREENVILLE, ALABAMA.

Also:

HJR 173. COMMENDING THE DEMOPOLIS ACADEMY GENERALS ON THEIR STATE FOOTBALL CHAMPIONSHIP.

Also:

HJR 215. HONORING JERRY D. AND GLADYS COLEMAN OF FAIRFIELD, ALABAMA, FOR DISTINGUISHED SERVICE TO EDUCATION AND TO THE COMMUNITY.

Also:

HJR 218. COMMENDING JIMMY JUNKINS OF GULF SHORES, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

HJR 219. COMMENDING LEE INGRAM AND LESLIE NELSON FOR OUTSTANDING HEROISM.

Also:

HJR 220. COMMENDING MELVIN E. SUMMERLIN OF SELMA, ALABAMA, ON HIS DISTINGUISHED LAW ENFORCEMENT CAREER.

GREG PAPPAS,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint

Resolutions, your signature thereto is requested.

HJR 141. COMMENDING TAMIEKIA LASHAE BONNER OF CITRONELLE, ALABAMA, FOR OUTSTANDING ACADEMIC ACHIEVEMENT.

Also:

HJR 152. COMMENDING AUBURN UNIVERSITY FACULTY MEMBERS DALE L. HUFFMAN, W. RUSSELL EGBERT, AND JOHN E. DUNKELBERGER; GRADUATE STUDENTS KYLE B. BULLOCK, CHIAO-MIN CHEN, KARLA KASABACK, MARTHA VEALE LIU, AND DOUGLAS SUMMERFORD; AND THE ALABAMA AGRICULTURAL EXPERIMENT STATION, THE COLLEGE OF AGRICULTURE, AND THE DEPARTMENT OF ANIMAL AND DAIRY SCIENCES.

Also:

HJR 153. COMMENDING HOUSTON ACADEMY'S BASKETBALL TEAMS FOR OUTSTANDING ACHIEVEMENT.

Also:

HJR 164. COMMENDING DALE T. GARNER OF BREWTON, ALABAMA, ON HIS OUTSTANDING CAREER IN THE FIELD OF EDUCATION.

Also:

HJR 166. COMMENDING JAMES MARTIN OF TUSKEGEE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Also:

HJR 167. COMMENDING TONYA TICE OF HAMILTON, ALABAMA, ON OUTSTANDING ACADEMIC AND ATHLETIC ACHIEVEMENTS.

Also:

HJR 168. COMMENDING CHET FRAZIER OF BRILLIANT, ALABAMA, ON OUTSTANDING ACADEMIC AND ATHLETIC

ACHIEVEMENTS.

Also:

HJR 170. COMMENDING TIMOTHY D. BARNETT OF HALEYVILLE, ALABAMA, ON OUTSTANDING ACADEMIC AND ATHLETIC ACHIEVEMENTS.

GREG PAPPAS,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

HJR 92. COMMENDING GENERAL COLIN L. POWELL, CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

Also:

HJR 96. COMMENDING JUDY CROCKETT OF MONTGOMERY'S THOMAS HEAD ELEMENTARY SCHOOL, RECIPIENT OF ALABAMA'S OUTSTANDING LD TEACHER AWARD.

Also:

HJR 98. HONORING THE AMERICAN TREE FARM SYSTEM ON THE CELEBRATION OF ITS 50TH ANNIVERSARY.

Also:

HJR 118. COMMENDING THE PELL CITY HIGH SCHOOL

LADY PANTHERS ON THE 1991 STATE CLASS 5A BASKETBALL CHAMPIONSHIP.

Also:

HJR 119. COMMENDING THE DECATUR HIGH SCHOOL LADY RED RAIDERS ON THE 1991 STATE CLASS 6A BASKETBALL CHAMPIONSHIP.

Also:

HJR 122. CONGRATULATING ANITA TATUM OF MONTGOMERY, ALABAMA, FOR OUTSTANDING PUBLIC SERVICE

Also:

HJR 125. COMMENDING BARRY BAKER OF CLANTON, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

HJR 129. COMMENDING ROBERT E. LAWSON FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE.

Also:

HJR 131. MOURNING THE DEATH OF DONALD GENE FARMER OF MOBILE, ALABAMA.

Also:

HJR 138. MOURNING THE DEATH OF ROY LEE MULLINS OF RUSSELLVILLE, ALABAMA.

GREG PAPPAS,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed

the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

HJR 295. MOURNING THE DEATH OF BOBBY LEE AUSTIN OF GADSDEN, ALABAMA.

Also:

HJR 297. COMMENDING THE HARTSELLE HIGH SCHOOL TIGERS ON THE 1991 STATE CLASS 5A BASEBALL CHAMPIONSHIP.

Also:

HJR 298. COMMENDING WILLIAM F. ARENDALE FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE TO THE UNIVERSITY OF ALABAMA IN HUNTSVILLE.

Also:

HJR 302. RECOGNIZING THE CENTENNIAL CELEBRATION OF THE TOWN OF ASHFORD IN HENRY COUNTY, ALABAMA.

Also:

HJR 305. COMMENDING ROY M. "BUBBA" CADDELL, JR., OF PRATTVILLE, ALABAMA.

Also:

HJR 306. COMMENDING JUDY HAYES OF DUNCANVILLE, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

HJR 308. COMMENDING JERRI MCLAIN FOR DISTINGUISHED SERVICE AS A MEMBER OF THE ALABAMA EDUCA-

TIONAL TELEVISION COMMISSION, 1970-1991.

Also:

HJR 309. COMMENDING VAUGHAN REGIONAL MEDICAL CENTER, SELMA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT AND SERVICE.

Also:

HJR 310. MOURNING THE DEATH OF THE REVEREND WILLIAM COMER AUTREY OF OZARK, ALABAMA.

Also:

HJR 403. COMMENDING SUSAN MADDUX COSBY FOR OUTSTANDING SERVICE TO THE GOVERNOR'S OFFICE AND WISHING HER EVERY FUTURE CAREER SUCCESS.

Also:

HJR 404. PROCLAIMING 1992 AS THE YEAR OF THE GULF AND ENDORSING THE COOPERATIVE EFFORTS OF THE GULF OF MEXICO PROGRAM TO SOLVE THE ENVIRONMENTAL PROBLEMS OF THE GULF OF MEXICO.

GREG PAPPAS,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

HJR 242. COMMENDING LESTER HENDERSON OF MONTGOMERY, ALABAMA, PSI 1991 EXECUTIVE OF THE YEAR.

Also:

HJR 246. COMMENDING THE HOUSTON ACADEMY LADY RAIDERS ON THE CLASS 1A-4A STATE TENNIS CHAMPIONSHIP.

Also:

HJR 247. CONGRATULATING THE ASHFORD ACADEMY LADY FALCONS ON THE AISA STATE CLASS 2A SOFTBALL CHAMPIONSHIP.

Also:

HJR 248. COMMENDING THE U.S. ARMY AVIATION CENTER'S AIRCRAFT MAINTENANCE TEAM.

Also:

HJR 253. DESIGNATING SEPTEMBER 6, 1991, AS "TROPICAL FISH DAY" IN ALABAMA.

Also:

HJR 260. COMMENDING GEORGE PERDUE OF BIRMINGHAM, ALABAMA, UPON HIS ELECTION AS CHAIRMAN OF THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

HJR 264. COMMENDING ALBERT G. MORTON OF BIRMINGHAM, ALABAMA, FOR DISTINGUISHED PROFESSIONAL ACHIEVEMENT AND SERVICE.

Also:

HJR 277. COMMENDING LAURA V. HALL OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING SERVICE AS PRESIDENT OF THE HUNTSVILLE EDUCATION ASSOCIATION.

Also:

HJR 284. NAMING "VETERANS MEMORIAL PARKWAY" IN GREENVILLE, ALABAMA.

Also:

**HJR 292. MOURNING THE DEATH OF WILLIAM J. DIF-
FLEY OF MOBILE, ALABAMA.**

GREG PAPPAS,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

**HJR 397. NAMING THE NEW BRIDGE OVER CHOCTA-
WHATCHEE RIVER ON THE BEE LINE HIGHWAY IN DALE
COUNTY, ALABAMA, IN HONOR OF THE LATE JUDGE LEWE
FRANK SESSIONS.**

GREG PAPPAS,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the

foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 509. To amend Section 12-17-81, Code of Alabama 1975, relating to salaries of the circuit clerks of this state; and to provide an effective date of October 1, 1992 for the provisions of this act.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 658. To authorize certain employers to purchase workers' compensation insurance with a deductible provision.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed

the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 280. To require an additional fee for licensure and renewal of licenses as a general contractor and providing that the revenue derived from such additional fees shall be distributed to institutions of higher education offering certain courses of study.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 408. To amend Section 27-30-34 of the Code of Alabama 1975, relating to provision of domestic life and disability insurance pursuant to chapter 3 so as to authorize the calculation of reserve liabilities for all policies issued by mutual aid associations, to provide for the methodology used to calculate the reserve liabilities provided for in Section 27-36-7 of the Code of Alabama 1975, and to provide for limitations.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 27. To amend Sections 12-19-171, 12-19-172, 12-19-175, 12-19-178 and 12-19-179, Code of Alabama 1975, so as to increase certain fees in traffic infraction and misdemeanor cases in district and circuit court and to provide for the distribution of the fee increase.

Also:

H. 183. To establish an Act relating to preschool special education services for children with disabilities, ages 3 through 5 years, inclusive; to provide a free appropriate public education for preschool children with disabilities, ages 3 through 5 years, inclusive, in accordance with the Individuals with Disabilities Education Act, previously known as the "Education of the Handicapped Act," Public Law 91-230 and all amendments thereto.

Also:

H. 292. To amend Section 34-23-1, and 34-23-32, Code of Alabama 1975, which requires the annual registration of drug manufacturers with the state board of pharmacy, so as to likewise require wholesale distributors of drugs to register annually with said board, and to increase the board's fee for permits and renewals of permits.

Also:

H. 326. To prohibit those nonresidents fishing pursuant to sport fishing licenses provided for in Sections 9-11-55 and 9-11-56, Code of Alabama 1975, from taking or attempting to take fish from the public

waters of this State by means of one or more trotlines having a combination of more than one hundred hooks, to require daily inspection of permissible trotlines and to prescribe certain criminal penalties.

Also:

H. 423. To amend sections 22-52-2, 22-52-3, 22-52-4, 22-52-6, 22-52-7, 22-52-8, 22-52-9, 22-52-11, 22-52-12, 22-52-13, and 22-52-15, Code of Alabama 1975, relating to mental health and mental retardation, so as to provide further for the involuntary commitment, discharge and transfer of persons in state institutions; to prescribe definitions; to provide for new commitment criteria for persons whom petitions for involuntary commitment have been filed and to grant the department the authority to designate mental health facilities to receive persons for evaluations, admissions, detention, treatment and discharge; to allow designated mental health facilities to contract with public or private mental health facilities, subject to approval by the department, for care and treatment of committed persons; to allow the probate court the alternative to commit a respondent to outpatient treatment; to create standards that the probate court must follow in ordering outpatient treatment and to set a time limit on the outpatient treatment order; to create criteria for inpatient treatment, to set time limits on the order for inpatient commitment, and to provide a mechanism whereby an inpatient commitment order may be extended; to provide for the appointment of special probate judges to consider, hear and enter appropriate orders with regard to the renewal of commitment orders; to allow the transfer of a respondent committed to inpatient treatment to another treatment facility; to grant all persons acting in good faith in connection with the evaluation, examination, certification, testing, admission, detention, treatment or discharge of any respondent, freedom from all civil liability by reason of such action; to specifically repeal sections 22-52-1 and 22-52-10 of the Code of Alabama 1975; and to provide for an effective date.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing

Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 578. Providing further for the compensation and expense allowances or other benefits of the superintendent of education of Morgan County upon the expiration of the current term of office; repealing conflicting laws or parts of laws; and specifically repealing Act. No. 87-257, H. 183, 1987 Regular Session (Acts 1987, p. 360).

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 170. To amend Section 40-16-6, Code of Alabama 1975, which relates to the payment and distribution of financial institution excise taxes, so as to permit all incorporated municipalities to levy privilege license taxes on financial institutions.

Also:

H. 325. To amend Sections 12-17-220 and 36-26-10, Code of Alabama 1975, relating to certain employees within the district attorneys' offices and the State Merit System, so as to provide that assistant district

attorneys, investigators, clerical, secretarial and other personnel employed in a district attorney's office serve at the pleasure of the district attorney and are in the exempt service of the state and to provide for its retroactive effect.

Also:

H. 420. To amend Section 40-18-19(6), Code of Alabama 1975, relating to exemptions from state income taxes, so as to exempt all payments made to a retiree or beneficiary of a "defined benefit plan"; and to provide retroactive effect for the provisions hereof to January 1, 1991.

Also:

H. 819. To amend Section 11-43C-35, Code of Alabama 1975, relating to the compensation of the mayors of Class 5 Municipalities, so as to provide for such compensation and to provide for an effective date.

Also:

H. 132. To amend Section 11-81-21, Code of Alabama 1975, relating to investment of municipal or county funds, so as to permit municipal and county funds to be invested in certain open-end or closed-end investment trusts which are invested in direct obligations of the United States of America or repurchase agreements respecting such U. S. obligations.

Also:

H. 57. To amend §27-8-10, Code of Alabama 1975, so as to reduce the waiting period for a person who failed to pass two examinations for licensing as a life or disability insurance agent; to reduce said waiting period for a person being examined for licensing as a property and casualty agent pursuant to §27-7-10, Code of Alabama 1975; and to expressly repeal §27-7-16, Code of Alabama 1975.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles

had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 708. Relating to Pickens County; repealing Act No. 83-706, H. 857, 1983 Regular Session and Act No. 84-554, 1984 Regular Session, which provide for assessments on forest lands for fire protection.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF SR 153

The Senate proceeded to further consideration of the Resolution, SR 153.

On motion of Senator Preuit, the Resolution was adopted by the Senate.

MOTION IN WRITING

Senator Horn offered the following Motion in Writing, to-wit:

MOTION IN WRITING

Having voted on the prevailing side by which House Bill 204 was passed, I move to reconsider the vote by which House Bill 204 was passed.

On motion of Senator deGraffenried said motion to reconsider was adopted.

On motion of Senator deGraffenried, the Rules were suspended and further consideration of the Bill, HB 204, was postponed subject to the call of the Chair.

RECESS

At 9:25 A.M., on motion of Senator Dixon, the Senate took a recess until 10 o'clock A.M.

At 10 o'clock A.M, the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

FURTHER CONSIDERATION OF HB 204

The Senate proceeded to further consideration of the Bill:

H. 204. To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1992.

And said Bill, HB 204, as amended by the substitute, as amended, was again read a third time at length and passed.

Yeas 21 Nays 1

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Foshee, Horn, Langford, Lipscomb, Mitchell, Owens, Preuitt, Smith (J), Waggoner, and Windom -21

Nay: Senator Amari

- 1

Senator Preuitt moved that the Senate reconsider the vote by which the Bill, HB 204, was passed, which motion was adopted.

On motion of Senator Preuitt, the Rules were suspended and further consideration of the Bill, HB 204, was postponed.

RESOLUTION RECONSIDERED

On motion of Senator Preuitt, the Senate reconsidered the vote by which the Resolution, SR 153, was adopted.

On motion of Senator Preuitt, further consideration of the Resolution, SR 153, was postponed.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

SR 154. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-ninth legislative day of the 1991 Regular Session only:

1. Uncontested Local Bills

On motion of Senator Preuitt, the Resolution was adopted by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Hilliard, B.I.R., HB 893, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 893. Relating to Hale County; authorizing the county commission to levy a severance tax on those persons, firms and corporations severing pit run sand, clay, sand-gravel, clay-gravel,

sand-clay and gravel in the county; providing for the collection of the tax by the department of revenue; and providing for enforcement and distribution of the proceeds of the tax.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hilliard, B.I.R., HB 892, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 892. Relating to Hale County; to provide for an additional expense allowance for the county coroner.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford,

Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons,
Sanders, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Floyd, B.I.R., SB 700, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 700. To alter, rearrange and extend the boundary lines of the
City of Sumiton in Walker County, Alabama.

was read a third time at length and passed, and ordered sent forthwith to
the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., SB 731, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, and Smith (J) -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

S. 731. Relating to Limestone County; providing that there shall be only one landfill in the county.

was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, and Smith (J) -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Floyd, B.I.R., HB 934, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Corbett, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 934. Relating to Macon County; authorizing the Macon County board of education to increase the ceiling for the superintendent of education and to set the salary of the superintendent of education; and providing for the board of education to increase or set expense allowances, any other compensation and/or supplement as provided by law.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Corbett, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 961, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Owens, Waggoner, Wilson, and Windom

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 961. Relating to DeKalb County; providing that the county commission or other like governing body of such county shall have the power to levy and collect additional privilege license taxes, gasoline taxes, sales and use taxes and other taxes and/or fees; providing that any such tax levied by said governing body shall become law either with or

without a referendum in the sole discretion of said governing body; providing for the disposition of the proceeds of such taxes; and repealing conflicting laws.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Owens, Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1018, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1018. Relating to Walker County and the 14th Judicial Circuit, to levy certain additional costs and charges of court, to provide said costs and charges shall be placed in a special hazardous duty pay fund, to provide hazardous duty pay for certain deputy sheriffs and jailers, to authorize the county commission to increase the amount of hazardous duty payments, and to provide for implementation of this act.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,

deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1019, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1019. Relating to supernumerary district attorneys of the fourteenth (14th) judicial circuit; to provide a salary supplement equal to the salary supplement paid to supernumerary district attorneys of the tenth (10th) judicial circuit.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1025, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1025. Relating to Walker County; to require the installation and maintenance of an improved system of indexing, recording and re-creation of documents and plat system title to property and other documents recorded in the office of the judge of probate; to provide the collection and disposition of a special indexing and recording fee; to provide for the collection of additional probate court cost fees; and to provide that said system shall constitute official and permanent records in Walker County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1029, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Ellis, Foshee, Ghee, Hale, Hilliard, Horn, Mitchem,

Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1029. Relating to the Eighteenth Judicial Circuit of Alabama; to amend Act No. 79-523, H. 426, 1979 Regular Session, so as to provide an increase in expense allowance for each official reporter within the said judicial circuit.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Ellis, Foshee, Ghee, Hale, Hilliard, Horn, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1030, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Ellis, Foshee, Ghee, Hale, Hilliard, Horn, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1030. Relating to Shelby County, amending Section 1 of Act

No. 191, H. 525, 1971 Regular Session, which provides a special expense allowance of \$2,400.00 per annum for the presiding circuit judge of the Eighteenth Judicial Circuit above that of the other Circuit Judges, said allowance also being outside the current \$15,000.00 expense allowance for each Circuit Judge, so as to provide that such \$2,400.00 may be received by the presiding judge's confidential employee at his designation.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Ellis, Foshee, Ghee, Hale, Hilliard, Horn, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1033, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1033. Relating to Bibb County; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing those procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties

and compensation of such election officials.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1034, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1034. Relating to Bibb County; authorizing the levy in such county of an additional tax, paralleling the state sales tax provided for in article 1 of chapter 23 of Title 40 of the Code of Alabama 1975, as amended; providing for certain exemptions; providing for the collection of such tax by the state department of revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing for an effective date.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,

deGraffenried, Denton, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1031, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1031. Relating to Bibb County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Bibb County; prohibiting the performance of certain work on private property and providing civil fines for violations; and providing for this bill to become effective on October 1, 1991.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Ghee, Hale, Hilliard, Horn, Langford,

Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1042, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Dixon, Ellis,
Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford,
Lindsey, Lipscomb, Little, Mitchell, Owens, Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1042. Relating to Chilton County; authorizing the county
coroner to appoint deputies.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Dixon, Ellis,
Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford,
Lindsey, Lipscomb, Little, Mitchell, Owens, Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1043, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Dixon, Ellis,

Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Smith (J), Waggoner, Wilson, and Windom
-25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1043. Relating to Chilton County; providing certain additional compensation for the poll workers to be paid from the county general fund.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Smith (J), Waggoner, Wilson, and Windom
-25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1044, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Smith (J), Waggoner, Wilson, and Windom
-25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1044. Relating to Chilton County, to provide for an additional

expense allowance for the tax collector.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Dixon, Ellis,
Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford,
Lindsey, Lipscomb, Little, Mitchell, Owens, Smith (J), Waggoner,
Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1045, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Floyd, Ghee, Hale, Hilliard, Horn, Langford,
Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1045. To alter, rearrange and extend the boundaries and corporate limits of the municipality of Riverside, St. Clair County, Alabama, so as to annex certain territory to the municipality.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Floyd, Ghee, Hale, Hilliard, Horn, Langford,
Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner,

**REGULAR SESSION
29th Day**

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Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1046, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1046. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1050, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1050. Relating to the City of Tuscaloosa in Tuscaloosa County; to amend Section 11 of Act No. 249, S. 291, 1947 Regular Session (Acts 1947, p. 174), so as to provide further for the civil service system governing the appointment of certain employees of the city.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1051, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1051. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa; further amending Sections 4, 8 and 9 of Act No. 328, H. 854, 1959 Regular Session (Acts 1959, p. 907) as last amended, which provide for the composition of the Board of Trustees and the conduct of its business, so as to provide further for the membership of such board.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, deGraffenried, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, and Wilson -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 1052, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1052. Relating to Walker County; providing further for the compensation of the members of the board of registrars.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Floyd, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

THE BILL:

H. 1053. To authorize the Cleburne County commission to adopt, amend and provide for the enforcement of certain building codes which shall apply in certain areas in said county; to prescribe the manner of adopting such codes; to authorize said commission to enforce such codes; to authorize the prescription and collection of certain fees necessary to effect the enforcement of such codes; and to prescribe penalties for violation of such codes.

was taken up.

On motion of Senator Owens, the Rules were suspended and further consideration of the Bill, HB 1053, was postponed subject to the call of the Chair.

Senator Hale requested and received permission to suspend the Rules in order to bring up the Bill:

H. 953. To provide that each public corporation which is authorized by law to operate a water system and to borrow money for use for one or more of its corporate purposes shall be specifically authorized to sell and issue bonds of such public corporations; to specify the use of proceeds of such bonds and the source of payment thereof; to make certain provisions with respect to the form, terms, denominations, tenor and maturities of such bonds, the interest thereon and the method and time of computing and paying such interest; to provide for the sale, execution and delivery of such bonds; to provide for liability on such bonds and security for the payment of principal thereof and interest thereon; and to make certain other provisions with respect to the borrowing of money and the issuance of bonds or other obligations by such public corporation.

On motion of Senator Hale, the Rules were suspended and further consideration of the Bill, HB 953, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1054, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1054. Relating to Cherokee County, to alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill:

H. 117. To amend Sections 9-13-196 and 9-13-197, Code of Alabama 1975, relating to failure to pay certain assessments on forest lands, so as to provide further for the sale and redemption of said land

and provide further for the retroactive repeal of local laws levying an acreage assessment.

On motion of Senator Little, the Rules were suspended and further consideration of the Bill, HB 117, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1056, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1056. Relating to Cullman County; to amend Section 1 of Act No. 1247, H. 1642, Regular Session 1971 (Acts 1971, p. 2147), relating to the issuance of pistol permits so as to increase the fee therefor.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bolling, B.I.R., HB 1057, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1057. Pertaining to Franklin County only; to permit a referendum of the voters regarding a temporary one cent sales tax for the benefit of the public schools so as to continue to ensure students with an uninterrupted quality instructional program, and to avoid further damage to public education due to proration; also, to set an ending date of temporary sales tax, division of proceeds, reinstatement of personnel; to void this proposed sales tax if state revenues become available; and to provide for and establish a date for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ghee, B.I.R., HB 1059, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ghee, Lindsey, Lipscomb, Little, Mitchell,

Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1059. Relating to Calhoun County; on and after the effective date of this act, subject to his or her having made a timely election, in writing, each commissioner of the Calhoun County commission shall be entitled to either have an automobile furnished by Calhoun County, and payment or reimbursement for fuel and oil, and repairs of said automobile, for use in carrying out his official duties as a commissioner, or a certain expense allowance in lieu of use of an automobile and payment or reimbursement for fuel, oil and repairs therefor.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Ghee, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Ghee, B.I.R., HB 1060, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Ghee, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1060. Relating to Calhoun County; to provide for the salaries of certain officials and the sheriff of the county to become effective upon the expiration of the present terms of office of the incumbent officeholders, and to provide an expense allowance for certain officials which will terminate upon the expiration of their present terms of office.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ghee, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1061, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1061. Repealing Act No. 83-545, H. 132 of the 1983 Regular Session (Acts 1983, p. 844) entitled "To authorize the Baldwin County Commission to provide for the protection of forests from fire, insect, disease, beavers, and other pests within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against

forest lands in the county; and to prescribe the procedure for levying and collecting such assessments."

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lipscomb, Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1062, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, and Prewitt
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1062. Relating to Talladega County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county commission to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, bridges and ferries of Talladega County; providing for an effective date.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, and Preuitt
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1063, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, and Preuitt
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1063. To authorize the city council of the City of Talladega, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Talladega, on all taxable property situated within the City of Talladega, the special ad valorem tax which is authorized in Amendment No. 13 to the Constitution, to a maximum rate, for any tax year of the city, which is equal to \$2.20 on each one hundred dollars (22 mills on each dollar) of assessed value.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee,

Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell,
and Preuitt -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1064, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Ellis,
Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1064. To provide that the Shelby County Commission may provide office space for a Constituency Office to assist the members of the Shelby County Delegation to the Legislature in serving their constituents.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Ellis,
Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell,
Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J),
Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1066, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1066. Relating to Crenshaw County, amending Act No. 89-486, H. 865, 1989 Regular Session, which levied a sales and use tax, so as to provide further for the distribution of the proceeds from the tax.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1067, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1067. Relating to Blount County; providing that the county commission shall have the power to levy and collect additional privilege license taxes, excise taxes, gasoline taxes and sales and use taxes; providing that any such tax levied by said county commission shall become law either with or without a referendum in the sole discretion of said county commission; and providing for the disposition of the proceeds of such taxes.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1068, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1068. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Wilsonville, in Shelby County, to provide for a referendum election of the qualified electors who reside

within the territory proposed to be brought within the municipal limits of Wilsonville.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1069, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1069. Relating to Shelby County; providing further for the compensation of the circuit clerk of the county.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens,

Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1071, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1071. Relating to Shelby County, Alabama; to provide for the creation, maintenance and regulation of public corporations for the purpose of forming units for preventing and fighting fires and providing emergency services to sustain life, health and property, and to prescribe conditions and regulations relative to the creation of such public corporations; to prescribe the organizational structure, rights and powers of such public corporations; to prescribe certain limitations on the rights and powers of such public corporations and to provide for elections on questions of formation, indebtedness and financial support of such corporations.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1072, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1072. Relating to the City of Alabaster in Shelby County; authorizing an additional ad valorem tax and providing for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1073, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1073. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Calera in Shelby County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1074, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1074. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1075, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1075. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Ellis, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1078, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1078. Relating to Lee County; to authorize the county commission to levy a tax on each ton or cubic yard of rock or other substance quarried in the county; to provide that the proceed shall be expended on the repair or maintenance of roads and bridges.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Little, Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1079, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee,

Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell,
and Preuitt -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1079. To authorize the Talladega County Commission acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Talladega County on all taxable property situated within Talladega County, outside the corporate limits of the cities of Talladega and Sylacauga, the special school tax which is authorized in Amendment No. 252 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.50 on each one hundred dollars (15 mills on each dollar) of assessed value.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee,
Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell,
and Preuitt -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1080, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett,
deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee,
Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell,
and Preuitt -25

Nays: - 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1080. Relating to Talladega County; to raise additional revenue by levying in those parts of the county outside the corporate limits of the cities located in Talladega County special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes; providing for the ascertainment, collection, payment, distribution and use of the proceeds from such taxes, and for the enforcement of this act by the state department of revenue and penalties for violations; and further providing for liability of county commissioners for failure to follow said act.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, and Preuit

-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1081, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, and Preuit

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1081. To alter, rearrange and extend the boundary lines and

corporate limits of the municipality of Sylacauga, in Talladega County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, and Preuit -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1084, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, and Sanders -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1084. Relating to Dallas County; providing for fire protection in certain areas of the county; levying a special fire protection property tax; providing for certain exemption from such tax and for collection of such tax; providing for disposition of funds from such tax to the county fire association and to the volunteer fire departments; providing for expenditure and accounting of such funds; providing for treatment of funds upon dissolution or abandonment of a volunteer fire department; granting immunity from certain liability to the county and providing for a referendum election on the provisions of this act.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Owens, and Sanders -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1088, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1088. Relating to Cherokee County; providing that the county commission shall have the power to exercise those home rule powers not reserved to the state by the Constitution of Alabama of 1901; providing that the home rule powers authorized for the county commission shall include but not be limited to: the power to levy and collect additional privilege license taxes, excise taxes, gasoline taxes and sales and use taxes; providing that any such tax levied by said county commission shall become law either with or without a referendum in the sole discretion of said county commission; and providing for the disposition of the proceeds of such taxes.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, HB 1088, to-wit:

AMENDMENT TO HB 1088

Amend HB 1088 on page 3, line 3 by adding the following:

"However, this Act shall be terminated on December 31, 1993".

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays: - 0

And said Bill, HB 1088, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1089, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Little, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays: - 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1089. Relating to the City of Opelika in Lee County, Alabama; altering and rearranging the boundary lines and corporate limits in the City of Opelika by adding certain parcels of land.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Little, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1090, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Mitchem, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1090. Relating to the City of Arab; approving an increase of the five mill ad valorem tax levied in the city pursuant to the general provisions of the Constitution and laws of the State of Alabama by nine and one-half mills to fourteen and one-half mills, all in accordance with Amendment No. 373 to the Constitution of Alabama of 1901; such additional nine and one-half mill tax to be levied and collected for each year beginning with the levy for the tax year October 1, 1991, to September 30, 1992 (the tax for which year will be due and payable

October 1, 1992) and ending with the levy for the tax year October 1, 2020, to September 30, 2021 (the tax for which year will be due and payable October 1, 2021) and to be used by the city board of education for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of the city at a special election called and held in accordance with the law governing special elections.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Mitchem, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1091, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1091. Relating to Houston County; providing further for the compensation of poll workers.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1092, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Hale, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1092. Relating to Shelby County; repealing Act No. 1886, H. 2579, 1971 Regular Session, which provides for an assessment on forest lands for fire protection.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Hale, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1093, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Lindsey, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1093. Relating to Choctaw County; repealing Act No. 83-549, H. 451, 1983 Regular Session, which provides for an assessment on forest lands for fire protection.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Lindsey, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1094, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1094. Relating to Elmore County, providing further for the compensation of the coroner.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1095, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Little, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 1095. Relating to county officers of Lee County who are required by law to receive revenue through their respective offices; to establish in the county general fund a special reserve fund of \$5,000.00 to be available to said officers to charge off bad or uncollectable checks, provided that all other legal remedies shall be pursued to collect such unpaid items.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Little, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 1098, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Lindsey, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1098. Relating to Choctaw County; providing that the Sheriff of Choctaw County may establish a canteen for the purpose of selling supplies to prisoners and to provide for the disposition for revenue derived from such sales.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Lindsey, Sanders, Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Windom, B.I.R., HB 146, adopted.

Yeas 22 Nays 1

Yeas:

Senators:

Barron, Bedsole, Bolling, Campbell, Dixon, Ellis, Floyd, Ghee, Hale, Horn, Langford, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Smith (B), Smith (J), Waggoner, Wilson, and Windom -22

Nay: Senator Sanders

-1

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 146. Relating to motor vehicles so as to provide that a transaction does not create a sale or security interest merely because the transaction provides that the rental price may be adjusted by reference to the amount realized upon sale or other disposition of the motor vehicle; to provide for severability of the provisions of this act; to provide for repeal of conflicting laws; and to provide for an effective date.

was read a third time at length and passed.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Langford, B.I.R., HB 319, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon,

Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 319. Provides for the appointment of a private non-profit corporation by the courts to serve as guardian or conservator or both for persons who are developmentally disabled. Establishes further qualifications for such organizations to be appointed and designates the Alabama Department of Mental Health/Mental Retardation to develop guidelines for the activities of those corporations appointed as Guardian for a person with developmental disabilities.

was read a third time at length and passed.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Corbett, B.I.R., HB 778, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays: - 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 778. To amend Act No. 90-650, S. 62, 1990 Regular Session, which establishes the Economic Development Revolving Loan Funds, so as to provide further for the compensation of the members of the committee and to provide that appropriations made pursuant to the act shall not revert into the general fund at the end of the fiscal year.

was read a third time at length and passed.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bedsole, B.I.R., HB 95, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 95. To amend Sections 22-21-20 and 22-21-27 of the Code of Alabama 1975, relating to licensing of hospitals, nursing homes and other health care institutions so as to include hospices; and to provide further for the composition of the advisory board and the power of certain board members.

was read a third time at length and passed.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Floyd, B.I.R., HB 458, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 458. To amend further Section 11-3-4, Code of Alabama 1975, relating to the compensation of county commissioners, so as to change the amount allowed for mileage to the amount allowed by the internal revenue code for income tax deductions.

was read a third time at length and passed.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bedsole, B.I.R., HB 85, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 85. Relating to immunity from civil liability while in volunteer service without compensation for a nonprofit organization or corporation or governmental entity; to provide that any public or community service volunteer without compensation shall be immune from civil liability in any civil action on the basis of any act or omission of such volunteer resulting in damage or injury if said volunteer was acting in good faith within the scope of his official functions and such damage or injury was not caused by willful or wanton misconduct; to provide that the responsibility of an established act or omission of a volunteer shall be the responsibility of the principal organization under the doctrine of "respondeat superior."

was read a third time at length and passed.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hilliard, B.I.R., HB 194, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -29

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 194. To amend Section 14-9-41 of the Code of Alabama 1975, which relates to computation of incentive time deductions, so as to allow an inmate who has been sentenced to a term of 15 years or less in the state penitentiary to earn correctional incentive time in accordance with the other provisions of this section.

was taken up.

Senator Hilliard offered the following substitute for the Bill, HB 194, to-wit:

SUSBTITUTE FOR HB 194

A B I L L T O B E E N T I T L E D A N A C T

To amend Section 14-9-41 of the Code of Alabama 1975, which relates to computation of incentive time deduction(s) so as to allow an inmate who has been sentenced to a term of 20 years or less in the state penitentiary to earn correctional incentive time in accordance with the other provisions of this section, and to make this section retroactive and to delete Section 14-9-42 which relates to the effects of incentive time deductions on parole; and to provide for the continued application of incentive good time deductions while on parole.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 14-9-41 of the Code of Alabama 1975, herein amended to read as follows:

"Section 14-9-41

(a) Each prisoner who shall hereafter be convicted of any offense against the laws of the state of Alabama and is confined, in execution of the judgement or sentence upon any conviction, in the penitentiary or at hard labor for the county or in any municipal jail for a definite or indeterminate term, other than for life, whose record of conduct shows that he has faithfully observed the rules for a period of time to be specified by this article may be entitled to earn a deduction from the term of his sentence as follows:

(1) Seventy-five days for each 30 days actually served while the prisoner is classified as a Class I prisoner.

(2) Forty days for each 30 days actually served while the prisoner is a Class II prisoner.

(3) Twenty days for each 30 days actually served while the prisoner is a Class III prisoner.

(4) No good time shall accrue during the period the prisoner is classified as a Class IV prisoner.

(b) Within 90 days after May 19, 1980, the commissioner of the department of corrections shall establish and publish in appropriate directives certain criteria not in conflict with this article for Class I, II, III, and IV prisoner classifications. Such classifications shall encompass consideration of the prisoner's behavior, discipline and work practices and job responsibilities.

(c)(1) Class I is set aside for those prisoners who are considered to be trustworthy in every respect and who, by virtue of their work habits, conduct and attitude of cooperation have proven their trustworthiness. An example of a Class I inmate would be one who could work without constant supervision by a security officer.

(2) Class II is that category of prisoners whose jobs will be under the supervision of a correctional employee at all times. Any inmate shall remain in this classification for a minimum period of six months before being eligible for Class I.

(3) Class III is for prisoners with special assignments. They may

not receive any of the privileges of Class I and Class II inmates. Any inmate shall remain in this classification for a minimum period of three months before being eligible for Class II.

(4) Class IV is for prisoners not yet classified and for those who are able to work and refuse, or who commit disciplinary infractions of such a nature which do not warrant a higher classification, or inmates who do not abide by the rules of the institution. Inmates who are classified in this earning class receive no correctional incentive time. This class is generally referred to as "flat time" or "day-for-day" Any inmate shall remain in this classification for a minimum period of 30 days before being eligible for Class III.

(5) No inmate may reach any class without first having gone through and meeting the requirements of all lower classifications.

(d) As a prisoner gains a higher classification status he shall not be granted retroactive incentive credit based on the higher classification he has reached, but shall be granted incentive credit based solely on the classification in which he was serving at the time the incentive credit was earned. Nothing in this article shall be interpreted as authorizing an inmate incentive credits based on the highest classification he attains for any period of time in which he was serving in a lower classification or from the date of his sentence.

(e) Provided, however, no person may receive the benefits of correctional incentive time if he or she has been convicted of a Class A felony or has been sentenced to life, or death, or who has received a sentence for 10 more than 20 years ~~or more~~ in the state penitentiary or in the county jail at hard labor or in any municipal jail. No person may be placed in Class I if he or she has been convicted of an assault where the victims of such assault suffered the permanent loss or use or permanent partial loss or use of any bodily organ or appendage. No person may be placed in Class I if he or she has been convicted of a crime involving the perpetration of sexual abuse upon the person of a child under the age of 17 years.

The court sentencing a person shall note upon the transcript to accompany such prisoner the fact that he or she has been sentenced as a result of a crime that forbids his or her being classified as a Class I prisoner.

(f)(1) If during the term of imprisonment a prisoner commits an

offense or violates a rule of the department of corrections, all or any part of his correctional incentive time accrued pursuant to this section shall be forfeited.

(2) The commissioner of the department of corrections shall have the power to restore to any prisoner who has heretofore, or who may hereafter, forfeit the deductions allowed him or her for good behavior, work habits and cooperation, or good conduct, by violating any existing law or prison rule or regulation such portion of his deduction for good conduct or good behavior as may be proper in his judgment, upon recommendation and evidence submitted to him by the warden in charge.

(g)(1) When a prisoner is serving two or more terms of imprisonment and the sentences run consecutively, then all such sentences shall be combined for the purpose of computing deductions for correctional incentive time and release date; however, the actual deduction from sentence for correctional incentive time provided by this section shall apply only to sentences to be served.

(2) When a prisoner is serving two or more sentences which run concurrently, the sentence which results in the longer period of incarceration yet remaining shall be considered the term to which such prisoner is sentenced for the purpose of computing his release date and correctional incentive time under the provisions of this article. When computing the deductions allowed in this section on indeterminate sentences the maximum sentence shall be the basis for the computation. The provisions of this section shall be administered by the chief administrative officer of the penal institution as it applies to prisoners in any state penal institution, by the sheriff of the county as it applies to prisoners in any county jail and by the chief of police as it applies to prisoners in any municipal jail.

(h) Deductions for good behavior, work habits and cooperation, or good conduct shall be interpreted to give authorized good time retroactively, to those offenders convicted of crimes committed after May 19, 1980, provided however that the commissioner of the department of corrections shall have the prison records of all inmates, who become eligible under this revised article, reviewed and shall disqualify any such inmate from being awarded good time under this article at his discretion."

Section 2. Delete Section 14-9-42 in its entirety.

Section 3. (a) Deductions from sentence provided for by this

article will be allowed for any period served on parole based on the following:

(1) Those placed on parole shall earn good time credit at the same rate he or she was earning good time on the effective day of parole.

(2) If during the parole period the parolee commits an offense or violates a rule of parole, all or part of this correctional incentive time accrued pursuant to section 14-9-41 shall be forfeited.

(3) The executive director of the board of pardon and paroles shall have the power to restore to any parolee who has heretofore, or who may hereafter, forfeit the deductions allowed him or her for good behavior, work habits and cooperation, or good conduct, by violating an existing law or parole rule or regulation such portion of his deduction for good conduct or good behavior as may be proper in his judgement, upon recommendation and evidences submitted to him by the parole officer in charge.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective 90 days after its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 13 Nays 8

Yeas:

Senators:

Barron, Bennett, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Hilliard, Langford, Lindsey, Owens, and Sanders -13

Nays:

Senators:

Amari, Bailey, Little, Mitchell, Parsons, Smith (B), Smith (J), and Windom - 8

And said Bill, HB 194, as amended by the substitute, was read a third time at length and passed.

Yeas 13 Nays 8

Yeas:

Senators:

Barron, Bennett, Campbell, Corbett, Denton, Floyd, Ghee, Hale,

Hilliard, Langford, Lindsey, Owens, and Sanders

-13

Nays:

Senators:

Amari, Bailey, Little, Mitchell, Parsons, Smith (B), Smith (J), and
Windom - 8**BUDGET ISOLATION RESOLUTION**

Senator Smith (B), B.I.R., HB 953, adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale,
Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens,
Pruitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays:

- 0

FURTHER CONSIDERATION OF HB 953

The Senate proceeded to further consideration of the Bill, HB 953.

And said Bill, HB 953, was read a third time at length and passed.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale,
Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens,
Pruitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Smith (B), B.I.R., HB 691, adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale,
Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens,

Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 691. To propose that those responsible for criminal activity may, when they have the financial ability to do so, be required by the court to make payments to a local crime stoppers program to help pay for crime stoppers' rewards.

was taken up.

Senator Smith (B) offered the following substitute for the Bill, HB 691, to-wit:

SUBSTITUTE FOR HB 691

**A B I L L
T O B E E N T I T L E D
A N A C T**

To propose that upon agreement by those responsible for certain criminal activity may as a condition of probation, when they have the financial ability to do so, make payments to a local crime stoppers program to help pay for crime stoppers' rewards leading to the arrest and conviction of felons; and to provide that the provisions of this act shall be construed in pari materia with those laws relating to sentencing and probation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Upon agreement by the defendant, a court may order that a defendant who has been convicted of a felony shall make a payment in an amount not to exceed \$50.00 to the court for a local crime stoppers program as part of a probation agreement. In imposing this payment requirement as a part of a condition of probation, the court shall consider the ability of the defendant to make the payment and the effectiveness and fiscal responsibility of the local crime stoppers program.

Section 2. Upon such probation agreement by the defendant, a

court may order that the convicted felon repay all or part of a reward paid by a local crime stoppers program for information which led to the arrest or conviction of the defendant. In determining whether the defendant must repay the reward or part of the reward and, if so, in determining the amount the defendant must repay, the court shall consider:

(a) the ability of the defendant to make the payment; and

(b) the importance of the information to the apprehension and prosecution of the defendant. The opinion of the arresting officer, investigating officer, or prosecuting attorney may be considered in evaluating the importance of the information.

Section 3. If a judge orders a defendant to make a payment to a local crime stoppers program as part of the probationary agreement, the court shall assess the amount to be paid against the defendant in the same manner as other costs are assessed against a defendant. All payments shall be made through the appropriate clerk of the court. The court may order the defendant to:

(a) pay the entire amount required when sentence is pronounced;

(b) pay the entire amount required at a later date specified by the court; or

(c) pay specified portions of the required amount at designated intervals.

Section 4. After receiving a payment from a person ordered to make the payment pursuant to the probationary agreement under this act, the clerk of the court shall:

(a) make a record of the payment; and

(b) forward the payment to the designated local crime stoppers program no later than the 10th day of the month following receipt of the payment.

Section 5. The district attorney and the sheriff of each county shall, at the request of a judge, determine whether a local crime stoppers program is qualified to receive payments from qualified defendants. The district attorney and sheriff shall approve a local crime stoppers program to receive payments if, considering the organization, continuity, leadership, community support, and general conduct of the program,

they both determine that the payments will be appropriately spent to further the crime prevention purposes of the program. The district attorney or sheriff may revoke probation certification at any time in which either determines that the criteria for certification are no longer being met or determines that the payments are not being spent in accord with the requirements of this act.

Section 6. A local crime stoppers program that receives a payment from a person under this act may not use the payment for any purpose other than the payment of a reward to a person who reports information concerning criminal activity that leads or contributes to the arrest and conviction of a person engaged in criminal activity. Not later than January 15 of each year, a local crime stoppers program that receives or expends money under this act shall file a detailed report with the presiding circuit court judge of the county in which it is located that accounts for all money received and expended under this section during the preceding year.

Section 7. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. The provisions of this act shall be construed in pari materia with those laws or parts of laws relating to sentencing and probation and all laws or parts of laws which are in direct conflict with this act are hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays:

- 0

And said Bill, HB 691, as amended by the substitute, was read a third time at length and passed.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ghee, B.I.R., HB 99, adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 99. To amend section 22-21-5 of the Code of Alabama 1975, to grant to public bodies organized under the said section the powers of health care authorities organized under Article 11 of chapter 22 of the Code of Alabama 1975.

was read a third time at length and passed.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Denton, B.I.R., HB 347, adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 347. To amend Sections 40-6-1, 40-6-3, and 40-6-4, Code of Alabama 1975, as amended, relating to the qualifications, compensation, and benefits of supernumerary tax assessors, tax collectors, revenue commissioners, license commissioners or other elected or appointed officials charged with the assessment and/or collection of ad valorem taxes, so as to establish the minimum age of qualification; to provide for an increase in compensation; to provide further for the method of determining such compensation; to provide for future increases in such compensation and the compensation of surviving spouses of such officials; to exempt the compensation of such officials and their surviving spouses from state income tax after 1990; and to repeal Sections 40-6-5, 40-6-7 and 40-6-8, which relate to election to participate in the tax collectors and tax assessors supernumerary program.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, HB 347, to-wit:

AMENDMENT TO HB 347

Amend HB 347 as follows:

On page 2, Section 1, line 10, by deleting the strikeover on the figure "~~60~~" and by deleting the figure "55"

Further amend HB 347, on page 3, Section 1, line 8, by deleting the strikeover on the figure "~~60~~" and by deleting the figure "55"

Further amend HB 347, on page 4, line 28, by deleting the strikeover on the words "~~provided, however, that~~" then on page 5, line 2, after the deletion of the word "~~chapter~~" add the following words:

no person shall receive more than \$45,000.00 per year.

Further amend HB 347, on page 5, Section 2, line 25, by deleting the strikeover on the word "~~sixty~~" and by deleting the figure "55", and also on line 31 by deleting the strikeover on the figure "~~60~~" and by deleting the figure "55"

Further amend HB 347, on page 7, Section 3, line 8, by deleting the strikeover on the figure "~~60~~" and by deleting the figure "55"

Further amend HB 347, on page 7, Section 4, lines 33 and 34 by deleting the words "October 1, 1991," and inserting in lieu thereof the following:

the effective date of this act,

Further amend HB 347, on page 7, Section 4, line 34, by striking the figure "\$7,500.00" and inserting in lieu thereof the figure:

\$5,000.00

Further amend HB 347, on page 8, Section 4, line 10, by deleting the words "October 1, 1991" and inserting in lieu thereof the following:

the effective date of this act

Which was adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Barron, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, and Wilson -22

Nays:

- 0

And said Bill, HB 347, as thus amended, was read a third time at length and passed.

Yeas 24 Nays 0

Abstaining 1

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis,

Floyd, Foshee, Ghee, Hale, Hilliard, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Smith (B), Waggoner, Wilson, and Windom -24

Nays: - 0

Abstaining: Senator Little - 1

BUDGET ISOLATION RESOLUTION

Senator Bolling, B.I.R., HB 153, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Bailey, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Foshee, Ghee, Lindsey, Lipscomb, Little, Owens, Preuitt, Sanders, Smith (J), Waggoner, Wilson, and Windom -21

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 153. To add a Section 34-23-75, Code of Alabama 1975, Alabama Pharmacy Practice Act, which would allow licensed pharmacists to refill a prescription for up to a 72 hour supply, when they are unable to obtain refill authorization from the prescriber.

was read a third time at length and passed.

Yeas 24 Nays 0

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -24

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., HB 678, adopted.

Yeas 24 Nays 0

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -24

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 678. To provide that all full-time employees and executive officers of the Developing Alabama Youth Foundation may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Foundation and its employees shall assume all costs, both contributory and administrative; and that no costs shall devolve upon the state.

was read a third time at length and passed.

Yeas 24 Nays 0

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -24

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B.I.R., HB 100, adopted.

Yeas 24 Nays 0

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -24

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 100. To adopt and incorporate into the Code of Alabama 1975 those general and permanent laws of the state enacted during the 1989 Special Session and the 1990 Regular Session of the Legislature, as contained in the 1990 Cumulative Supplement to certain volumes of the Code and in the 1990 Replacement Volume 14 of the Code; and to make corrections in certain volumes of such cumulative supplement.

was read a third time at length and passed.

Yeas 24 Nays 0

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-24

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B.I.R., HB 1041, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, and Parsons
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 1041. To authorize the city council of the City of Eufaula, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Eufaula, on all taxable property situated within the

City of Eufaula, the special ad valorem tax for public school purposes which is authorized in Amendment No. 56 to the constitution, to a maximum rate, for any tax year of the city, which is equal to \$1.30 on each one hundred dollars (13 mills on each dollar) of assessed value.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, and Parsons -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B.I.R., HB 435, adopted.

Yeas 22 Nays 1

Yeas:

Senators:

Amari, Bailey, Bennett, Campbell, Dixon, Ellis, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -22

Nay: Senator Corbett

- 1

BILLS ON THIRD READING RESUMED

THE BILL:

H. 435. To create a new district judgeship in Marshall County.

was read a third time at length and passed.

Yeas 22 Nays 1

Yeas:

Senators:

Amari, Bailey, Bennett, Campbell, Dixon, Ellis, Foshee, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -22

Nay: Senator Corbett

- 1

BUDGET ISOLATION RESOLUTION

Senator Campbell, B.I.R., HB 401, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 401. To amend Section 2-27-9 which provides for registration of pesticides by raising the annual registration fee from \$50 up to \$100.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Smith (J), B.I.R., HB 579, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd,

Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 579. To authorize the several state departments and agencies to prepay to officers and employees necessary travel expenses for authorized official state business; to provide that such payments shall be made in accordance with rules and regulations promulgated by the state comptroller with the approval of the chief examiner of public accounts; to provide for certain limitations and the annual audit of the expenditure of funds used in accordance with the provisions of this Act.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Smith (J), B.I.R., HB 580, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 580. Relating to state officers and employees; to authorize the state comptroller with the approval of the chief examiner of public accounts to establish procedures for the prepayment of travel expenses.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom
-23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 419, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom
-23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 419. To make a supplemental appropriation from the Farmers' Market Authority Fund to the Farmers' Market Authority for the sum of two hundred thirty-eight thousand five hundred and fifty dollars (\$238,550) for the fiscal year ending September 30, 1991.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Windom, B.I.R, HB 348, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 348. Proposing an amendment to the Constitution of Alabama of 1901, authorizing the tax assessors, tax collectors, revenue commissioners, license commissioners and other ad valorem tax officials in the various counties of this state to elect to participate in the state employees' retirement system or the county retirement system, if available; providing for an election between the state employees' retirement system and a county retirement system; prohibiting future officials taking office for the first time after the effective date of this amendment from participating in the supernumerary program provided by Title 40, Chapter 6, Code of Alabama 1975; and providing that such officials presently participating in the supernumerary program may continue therein.

was read a third time at length as required by the Constitution and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchell, B.I.R., HB 287, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 287. To address the nursing shortage affecting the Alabama Department of Public Health in rural areas by providing for loans for books, tuitions, fees, and other educationally-related expenses incurred by employees of the Alabama Department of Public Health attending nursing school on a part-time or full-time basis; to require such loan recipients to enter into a contract committing them to work as nurses full-time for the health department or for a federally-funded community health center in a rural area or underserved area of the state for at least four years; to provide for forgiveness of such loans for recipients who serve the health department in rural or underserved areas; to provide civil penalties for loan recipients who fail to honor the contract; to provide for full-time or part-time employment for such recipients while attending school.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 613. Relating to compensation for the sheriff of Houston County; providing for an increase in such compensation commencing with the next term of office.

Also:

H. 614. Relating to Houston County; providing an additional expense allowance for the sheriff of Houston County; and providing for an expiration date thereof.

Also:

H. 622. Relating to the City of Dothan in Houston County; to amend further Section 4 of Act No. 103, H. 363, Regular Session 1953 (Acts of Alabama 1953, p. 145), entitled "An Act to Establish a City of Dothan Pension and Retirement System," and as amended by Act No. 82-208, which act relates to the City of Dothan's Pension and Retirement System, so as to provide further for the authorized investments of the Pension Board.

Also:

H. 841. Relating to Lauderdale County and compensation for sheriff; providing further for the county supplement for such sheriff; and providing an effective date.

Also:

H. 850. Relating to Marshall County, the probate judge shall not receive for record or permit the recording of any instrument, conveying title or any interest in real property that does not have legibly printed, typewritten or stamped thereon the grantee's name and latest complete address.

Also:

H. 852. Relating to Marshall County; to provide that the notice required to be given to delinquent taxpayers prior to the sale for taxes of their property be given by publication; to provide that trials be held to determine whether such sale should be ordered; to provide a method to give notice to delinquent property owners to show cause why a decree of sale should not be rendered against them; to provide a method for the sale of said property and the report of the amount of taxes collected from said sale.

Also:

H. 864. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Camden in Wilcox County.

Also:

H. 851. Relating to Marshall County; providing further for selling and redeeming lands for taxes.

Also:

H. 913. Relating to Chilton County; to repeal Act No. 90-304, 1990 Regular Session, entitled "An Act Relating to Chilton County, Alabama, to allow, in addition to the uses now otherwise allowed, the use of funds collected or obtained pursuant to the provisions of Title 11, Subtitle 3, Chapter 98, Code of Alabama 1975, by communications districts in said county, for the purchasing of road and street signs necessary for roads and streets which are renamed in order to establish E 911 service, due to the local needs of Chilton County not having been otherwise provided for by other legislation."

Also:

H. 951. Relating to Tallapoosa County; amending Act No. 81-419, H. 906, 1981 Regular Session, which relates to the compensation of election officials, so as to increase said compensation.

Also:

H. 958. Relating to Cullman County; abolishing the office of constable and providing an effective date.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 986. Relating to the City of Opp in Covington County; authorizing an additional ad valorem tax to be used for the general educational purposes and providing for a referendum.

Also:

H. 987. Relating to Blount County; providing for the merging of the budgetary operations of the Revenue Commissioner's office; providing that said office shall be financed on a pro rata share basis from proceeds of state, county and municipal ad valorem taxes collected in the county; and providing for supplemental effect.

Also:

H. 978. Relating to the Town of Priceville in Morgan County, Alabama; to validate, in certain cases, annexations heretofore held by the Town of Priceville.

Also:

H. 981. To authorize the city council of the City of Sylacauga, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Sylacauga, on all taxable property situated within the City of Sylacauga, the special ad valorem tax for public school purposes which is authorized in Amendment No. 56 to the Constitution, to a maximum rate, for any tax year of the city, which is equal to \$2.10 on each one hundred dollars (21 mills on each dollar) of assessed value.

Also:

H. 983. Relating to Morgan County; providing for an expense allowance for the members of the jury commission.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1002. Relating to Mobile County, providing for additional compensation to members of the board of directors of certain public utility authorities.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title

had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 892. Relating to Hale County; to provide for an additional expense allowance for the county coroner.

Also:

H. 893. Relating to Hale County; authorizing the county commission to levy a severance tax on those persons, firms and corporations severing pit run sand, clay, sand-gravel, clay-gravel, sand-clay and gravel in the county; providing for the collection of the tax by the department of revenue; and providing for enforcement and distribution of the proceeds of the tax.

Also:

H. 934. Relating to Macon County; authorizing the Macon County board of education to increase the ceiling for the superintendent of education and to set the salary of the superintendent of education; and providing for the board of education to increase or set expense allowances, any other compensation and/or supplement as provided by law.

Also:

H. 961. Relating to DeKalb County; providing that the county commission or other like governing body of such county shall have the power to levy and collect additional privilege license taxes, gasoline taxes, sales and use taxes and other taxes and/or fees; providing that any such tax levied by said governing body shall become law either with or without a referendum in the sole discretion of said governing body; providing for the disposition of the proceeds of such taxes; and repealing conflicting laws.

Also:

H. 1018. Relating to Walker County and the 14th Judicial Circuit, to levy certain additional costs and charges of court, to provide said costs and charges shall be placed in a special hazardous duty pay fund, to provide hazardous duty pay for certain deputy sheriffs and jailers, to authorize the county commission to increase the amount of hazardous duty payments, and to provide for implementation of this act.

Also:

H. 1019. Relating to supernumerary district attorneys of the fourteenth (14th) judicial circuit; to provide a salary supplement equal to the salary supplement paid to supernumerary district attorneys of the tenth (10th) judicial circuit.

Also:

H. 1025. Relating to Walker County; to require the installation and maintenance of an improved system of indexing, recording and re-creation of documents and plat system title to property and other documents recorded in the office of the judge of probate; to provide the collection and disposition of a special indexing and recording fee; to provide for the collection of additional probate court cost fees; and to provide that said system shall constitute official and permanent records in Walker County.

Also:

H. 1029. Relating to the Eighteenth Judicial Circuit of Alabama; to amend Act No. 79-523, H. 426, 1979 Regular Session, so as to provide an increase in expense allowance for each official reporter within the said judicial circuit.

Also:

H. 1030. Relating to Shelby County, amending Section 1 of Act No. 191, H. 525, 1971 Regular Session, which provides a special expense allowance of \$2,400.00 per annum for the presiding circuit judge of the Eighteenth Judicial Circuit above that of the other Circuit Judges, said allowance also being outside the current \$15,000.00 expense allowance for each Circuit Judge, so as to provide that such \$2,400.00 may be received by the presiding judge's confidential employee at his designation.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1042. Relating to Chilton County; authorizing the county coroner to appoint deputies.

Also:

H. 1050. Relating to the City of Tuscaloosa in Tuscaloosa County; to amend Section 11 of Act No. 249, S. 291, 1947 Regular Session (Acts 1947, p. 174), so as to provide further for the civil service system governing the appointment of certain employees of the city.

Also:

H. 1051. Relating to Tuscaloosa County and the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa; further amending Sections 4, 8 and 9 of Act No. 328, H. 854, 1959 Regular Session (Acts 1959, p. 907) as last amended, which provide for the composition of the Board of Trustees and the conduct of its business, so as to provide further for the membership of such board.

Also:

H. 1043. Relating to Chilton County; providing certain additional compensation for the poll workers to be paid from the county general fund.

Also:

H. 1044. Relating to Chilton County, to provide for an additional

expense allowance for the tax collector.

Also:

H. 1045. To alter, rearrange and extend the boundaries and corporate limits of the municipality of Riverside, St. Clair County, Alabama, so as to annex certain territory to the municipality.

Also:

H. 1046. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Also:

H. 1031. Relating to Bibb County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Bibb County; prohibiting the performance of certain work on private property and providing civil fines for violations; and providing for this bill to become effective on October 1, 1991.

Also:

H. 1033. Relating to Bibb County; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing those procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

Also:

H. 1034. Relating to Bibb County; authorizing the levy in such county of an additional tax, paralleling the state sales tax provided for in article 1 of chapter 23 of Title 40 of the Code of Alabama 1975, as amended; providing for certain exemptions; providing for the collection of such tax by the state department of revenue, and for the distribution

and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing for an effective date.

Also:

H. 1054. Relating to Cherokee County, to alter, rearrange and extend the boundary lines and corporate limits of the Town of Leesburg, in Cherokee County, Alabama.

Also:

H. 1052. Relating to Walker County; providing further for the compensation of the members of the board of registrars.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

BUDGET ISOLATION RESOLUTION

Senator Bailey, B.I.R., HB 582, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 582. Relating to the licensing and bonding of dealers in

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agricultural products; to define dealers, products, commissioner, producers, and persons; to exempt certain persons from the provisions of this bill; to require that a dealer in agricultural products be licensed and said license shall cost from \$50 to \$200; to require that dealers be bonded or have a bond equivalent in amounts of not less than \$1,000 to \$50,000; to provide for denying, suspending or revoking a dealer license; to provide for hearing after there has been a denial, suspension or revocation of a license and to also provide for appealing orders rendered pursuant to a hearing; to provide for payment of agricultural products purchased within five days after an accounting or a receipt has been issued; to provide for the keeping of records and for inspection of sale and the inspection of produce purchased; to make the violation of this bill a class "C" misdemeanor and granting the Commissioner the powers of a peace officer in the enforcement of said bill; to provide for injunctive relief; to expressly repeal Chapter 29 of Title 2 providing for the permitting and bonding of farm product commission merchants.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom
-23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Wilson, B.I.R., HB 510, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom
-23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 510. To amend Section 2-6A-1 by changing commission to department of agriculture and industries; to repeal Sections 2-6A-2, 2-6A-3, 2-6A-4, 2-6A-5 and 2-6A-6 which set up a farm crisis and transition commission and its operation; to set up a farm crisis and transition program under the department of agriculture and industries and to give the commissioner of agriculture and industries the power to employ staff and to conduct the program; to allow the adoption of regulations; to provide for the transfer of all personnel, equipment and files from the farm crisis and transition commission into the department of agriculture and industries; to allow the commissioner of agriculture and industries to accept contributions from any public or private source.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

S. 459. To give the act a title; to enumerate the goals of this act; to amend section 16-23-3, Code of Alabama 1975, to require the state board of education to adopt policies authorizing under certain circumstances alternative certificates to be issued regardless of whether the recipient is a graduate of an approved teacher program; to provide that persons receiving alternative certificates for three consecutive years may under certain circumstances be granted a teaching certificate pursuant to section 16-23-1, Code of Alabama 1975, and become eligible for

continuing service status; to provide for emergency certificates; to provide that time served pursuant to an alternative certificate shall be counted in determining continuing service status; to amend sections 16-3-16, 16-23-14, and 16-23-15, Code of Alabama 1975, consistent with Chapter 23 of Title 16, Code of Alabama 1975, as amended; to establish a Professional Teachers Standards Commission and to provide for the designation or development of an entry-level pre-certification examination for teacher candidates in Alabama; to amend section 16-3-15, Code of Alabama 1975, by defining "required courses" and "elective courses" and by requiring the state board of education to mandate certain required courses for grades 9 through 12 in public schools beginning with students entering the 9th grade in the 1992-93 academic year, and by authorizing the state board of education to approve elective courses in public schools, and by providing that in the event a city or county board of education has met certain specified conditions then such local board may approve elective courses in addition to the required courses set forth and elective courses approved by the state board of education, provided, however, that if a local board approves an elective course previously approved by the state board of education then the local board is required to use any course content approved by the state board of education for such elective, and by providing that in the event a city or county board of education has not met certain specified conditions then such local board shall offer only elective courses approved by the state board of education, and by providing that the state board of education shall adopt policies, procedures, rules, regulations, and/or standards to require that certain courses must be taken and successfully passed by every student enrolled in grades 9 through 12 of public schools prior to receipt of a diploma, phased in beginning with students entering the 9th grade in the 1992-93 academic year, providing, however, for students identified as eligible for special education services, and by providing that the state board of education shall adopt policies, procedures, rules, regulations, and/or standards to require that a certain number of elective courses must be successfully passed by a student in grades 9 through 12 of public schools prior to such student's graduation or receipt of a diploma, phased in beginning with students entering the 9th grade in the 1992-93 academic year, by providing that the state board of education shall adopt other provisions necessary to fully implement this section so long as such provisions are consistent with all requirements, restrictions, definitions, and limitations of this section, and by providing that the state board of education shall require that certain courses be taught in grades one through eight in all public schools, phased in beginning with students entering grades one through eight in the 1992-93 academic year, and by providing that the state board of education shall adopt necessary policies, procedures, rules, regulations and/or standards to encourage college and university

departments of education to review existing educational programs to ensure that prospective teachers are properly prepared; to amend section 16-35-1, Code of Alabama 1975, as amended, by expanding the courses of study committee; to repeal sections 16-40-2, 16-40-3, 16-40-4, 16-40-5.1, 16-40-5.2, 16-40-5.3, 16-40-5.4, 16-40-6 and 16-40-7, Code of Alabama 1975, effective August 1, 1992; to require the state board of education to adopt learner outcomes defining what students must know to compete nationally and internationally; to require the state board of education policies to require mechanisms to receive feedback from higher education institutions and the business community; to require the state board of education to eliminate social promotion of students by strengthening promotion and retention standards required of all local school systems; to require local boards of education to provide counseling, tutorial assistance, and remediation when necessary to ensure that students are literate in the skills identified in the required courses of study and have achieved standards of the grade level of learning on course content; to direct to the state board of education to establish a performance-based accreditation system for all city and county school systems and all public schools to supplement the existing accreditation system; to direct the state board of education to establish specific guidelines and minimum performance levels which reflect the standards required for accreditation and to identify certain standards required for accreditation, which standards shall include a measurement of the academic performance of each school and school system and shall be directly linked with the student assessment program as provided for in this act; to provide that such accreditation standards shall include minimum requirements for science instructors; to require each city or county school system to submit to the state board of education information as may be required to determine its accreditation status; to provide a means of classifying schools and school systems as excellent, satisfactory or probationary, and providing further for an annual report to be known as the "Report Card on Our Schools and School Systems"; to require non-accredited and accredited probationary city or county school systems to develop education improvement plans subject to the approval of the state superintendent of education and designed to cause such school system and each public school to meet standards and minimum performance required for accreditation; to establish a procedure for any member of the public to lodge a complaint against any school or school system if the complaining person has reason to believe such school or school system is falling below the minimum performance standards established herein; to allow the state superintendent of education to intervene in the operation of a non-accredited school system temporarily in the event that such board fails to implement an education improvement plan or is unable or unwilling to meet the standards and minimum

performance levels to be accredited; to provide for a lengthened school term of 179 actual teaching days, phased in with one additional teaching day annually from 1992 through 1996; to provide that any employee required to work an additional day or days shall be compensated with a corresponding additional day or days' pay in addition to any cost of living adjustment; to create the Alabama Council on Family and Children for the purpose of coordinating services supporting early childhood development and family involvement in education, to specify the membership of the council, to direct the Alabama Council on Family and Children to submit to the Governor and the legislature recommendations concerning the federally sponsored Head Start Programs and state-sponsored Head Start type programs, including pilot testing thereof, to establish criteria for recognizing preschool students in need of readiness skills and the development of summer programs to aid such students, and to direct the Alabama Council on Family and Children to recommend programs of instruction in professional development for public school instructors, teachers and administrators involved in early childhood development; to define "schools of choice" and "school system," to authorize county and city boards of education to implement a Schools of Choice plan for use within their respective school systems consistent with federal and state constitutional, statutory, and administrative provisions of law, including applicable federal or state court orders including but not limited to all applicable federal court desegregation orders, where such plan is adopted by either a resolution of the respective city or county board, or a majority of voters within a particular jurisdiction at a referendum called by a resolution of the respective county or city board of education and held in accordance with special election laws, to require city and county boards to report to the state superintendent and certify compliance of local Schools of Choice plans with applicable federal or state court orders including but not limited to all applicable federal court desegregation orders, and applicable federal and state constitutional, statutory, and administrative provisions of law, to require the state superintendent to submit an annual Schools of Choice report to the state board of education; to require the state board of education to adopt a program to implement a complete, valid and reliable assessment of student achievement in the core curriculum courses for students, and to correlate the results of such tests with the development of promotion and retention standards as required by this act; to include as part of the assessment certain mandatory student examinations; to require the state board of education to develop and implement an aptitude assessment program; to direct the state board of education to establish a goal of increasing the scale score for passing the Alabama High School Graduation Exam over the next three scholastic years beginning with the exam to be given in the fall of 1992, and direct the state board of educa-

tion to continually revise the Alabama High School Graduation Exam to ensure that said exam measures the skills and knowledge expected of high school graduates; to provide that all students who participate in work-related programs requiring those students to leave school for more than one instructional period during their regular school day shall have met or exceeded the minimum acceptable level of performance in a test of basic skills; to require the state board of education to adopt a mandatory and enforceable attendance policy for all students, which policy shall recognize that it is the responsibility of every parent or guardian to ensure his/her child is regular in public, private, or church-school attendance, and parents shall be held accountable for the failure of the child who is of compulsory attendance age to attend; to provide for increased utilization of advanced technology in Alabama public schools and teacher training programs; to establish a Council on Adult Education and specify the membership thereof, which will develop long-range recommendations and an inventory of adult education programs and report to the 1992 regular session of the legislature; to provide the Council on Adult Education with support staff provided by the Alabama department of postsecondary education and the state department of education; to require, each public school instructor, teacher, supervisor or administrator to complete a minimum of twelve-clock hours of approved instruction in professional development beginning with the 1992-93 school year; to require the Alabama state board of education to provide courses of instruction in professional development and to specify certain subjects which must be offered; to require any public school instructor, teacher, supervisor or administrator who fails to earn twelve-clock hours of professional development credits by June 15 to submit a plan for making up the deficiency; to require the local superintendent of education to monitor compliance with the minimum credit hours requirement and to report non-compliance by personnel within his jurisdiction to the state superintendent of education; to direct the state board of education to study programs of instruction in professional development designed to develop leadership skills for school system administrators and principals which utilize expertise from private industry; to direct the state board of education to implement a personnel evaluation system to further assist public school personnel in completing the professional development requirements imposed herein; to identify and define students who are at-risk of poor academic performance, failure or dropping out; to direct the state board of education to cause to be developed programs for providing educational and related services reasonably calculated to enable at-risk children to successfully complete the elementary and secondary curriculum; to direct the state board of education to develop pilot alternative programs for students with behavioral or instructional problems which cannot be met in the regular school program; to direct the state board of education to implement a

pilot program to determine the optimum teacher-pupil ratios for promoting academic achievement for students who are economically or educationally deprived; to direct the state board of education to monitor, analyze and report to the Governor and the legislature on such pilot programs; to further direct the state board of education to cause to be developed and piloted dropout prevention and recovery programs; to require the state board of education to designate certain schools or school systems as lead schools or school systems for purposes of implementation of a dropout prevention and retrieval program; to require the state board of education to monitor and provide guidance for schools or school systems with dropout prevention and retrieval programs deemed to be deficient; to direct the state board of education to adopt policies and procedures to implement a comprehensive career awareness program in the middle schools, to place strong emphasis on school counselors to identify students at-risk, to develop professional development programs to prepare teachers for dealing with students at-risk, to encourage business and community involvement, and to increase the graduation rate to 90 percent by the year 2000; to provide for the development of flexible school terms extending over the twelve-month calendar year, with approval by the state board of education; and to provide that school personnel may work extended contract periods provided such personnel are willing and are paid commensurate with the system's salary schedule; to require the state board of education to encourage city and county boards of education to develop site based decision-making programs and innovative programs and methods of instruction for local schools and apply to the state board of education for waiver of any relevant state board of education policy, standard, regulation, and/or procedure, so long as the state board of education policy, standard, regulation, and/or procedure is not expressly required by statute, and providing that the state superintendent of education shall monitor such programs, and providing that no employees shall have diminished or revoked any contractual or due process rights guaranteed by law or policy of the state board of education as a result of the implementation of site based decision-making programs adopted as a result of this act; to require the state board of education to require the state superintendent of education to recommend changes to encourage city and county boards to develop local programs, to require the state board of education to require the state superintendent of education to recommend a plan for grants to city and county boards that restructure local programs to promote educational enhancement at the local level; to require that school boards shall develop and adopt a discipline plan and a code of student conduct, ensuring a safe school environment free of illegal drugs, alcohol or weapons, establishing uniform policies and penalties; to prescribe minimum standards for school discipline and vandalism policies, and to create a cause of action against parents and/or guardians of any minor who damages school

property; to provide civil immunity for teachers and other school authorities for carrying out discipline policies in the schools; to require the state board of education to develop a financial tracking and reporting system for all funds allocated by the Alabama Special Educational Trust Fund Appropriation Act to the local school systems and the local schools in each system; to designate the Alabama Education Study Commission as the Standards on Excellence Commission responsible for examining the required courses, testing programs for teacher candidates, promotion and retention standards, student assessment programs and the performance-based accreditation standards, as well as overall compliance under this act, and to require said commission to report its findings to the Governor, legislature, and state board of education; to provide that any and all mandates contained in the provisions of this act shall be mandated only to the extent that funds are appropriated or otherwise made available for the purposes of implementing such mandates; to provide the intent of the legislature that any board, commission, council or similar body designated or created pursuant to this act shall have equitable representation of minorities; to provide that definitions set forth shall be deemed applicable whether the words defined are used in the singular or plural; to provide that any pronoun used herein shall be deemed to include both the singular and the plural and to cover all genders; to provide for severability; to provide for an effective date.

Also:

S. 534. To authorize certain state instrumentalities or agencies to purchase and pay for group health, accident or hospitalization insurance coverage for its officers and employees and to contract with the State Employees Insurance Board to provide such insurance coverage.

JIM PREUITT,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

BUDGET ISOLATION RESOLUTION

Senator Lindsey, B.I.R., HB 324, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 324. To amend Section 36-26-36.1 of the Code of Alabama 1975, relating to sick leave for state employees and teachers so as to provide further for the accumulation and use of such sick leave in determining years of creditable service in the employees' or teachers' retirement system of Alabama.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Little, B.I.R., HB 117, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

FURTHER CONSIDERATION OF HB 117

The Senate proceeded to further consideration of the Bill HB 117.

Senator Little offered the following amendment to the Bill, HB 117, to-wit:

AMENDMENT TO HB 117

Amend HB 117 on page 2, Section 1(b), lines 7 and 8 by adding after the word "taxes" the following:

", provided, however, no sale of the subject land may occur within three years from the date of said default"

Which was adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

And said Bill, HB 117, as thus amended, was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Smith (B), B.I.R., HB 412, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 412. To further provide for payroll deductions for public officers and employees, so as to establish an annual Alabama state employees combined charitable campaign; to repeal Section 36-1-4.1, Code of Alabama 1975, as amended, relating to local United Way agencies and certain other health charities and payroll deductions.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Foshee, B.I.R., HB 694, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 694. To create a "pilot project" for the Secretary of State to establish specifications for a uniform system of electronic voting and for the electronic transfer of election totals from counties to the Secretary of State's office.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom
-23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 359, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom
-23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 359. To repeal Sections 16-9-5, 16-9-6 and 16-9-7 of the Code of Alabama 1975, relating to the nomination by political parties, primary election to nominate and instructions on the ballot of county superintendents of education.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Waggoner, B.I.R., HB 959, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 959. To authorize the governing body of a municipality to exempt the homesteads of residents over 65 years of age, or who are retired due to permanent and total disability, or who are blind, in whole or in part from any ad valorem property tax increase imposed for public school purposes.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bennett, B.I.R., HB 29, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 29. To provide a means whereby any insurer organized under the laws of any other state may become a domestic insurer; to provide a means for any domestic insurer to transfer its domicile to another state; and to provide a means for the continuation of a certificate of authority and other approvals pertaining to any foreign insurer which transfers its corporate domicile to another state by merger or consolidation or any other lawful method.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Bailey, Bennett, Campbell, Corbett, deGraffenried, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Waggoner, Wilson, and Windom -23

Nays:

- 0

REPORT OF COMMITTEE OF CONFERENCE ON SB 111

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Senate Bill 111 have met, considered the bill as amended, and have agreed to the following report:

We recommend that the bill be further amended as follows and then passed by both houses:

In Section 3, line 30, add after the word "builders" and before the word "and" the following:

, real estate brokers and developers

In Section 13, delete the following language:

"(7) Any person that holds a real estate brokers license."

Respectfully submitted,

HINTON MITCHEM,
LOWELL BARRON,
STEVE WINDOM,
Conferees on the part of the Senate.

PERRY O. HOOPER,
MICHAEL E. HILL,
JANE GULLATT,
Conferees on the part of the House.

CONFERENCE REPORT

On motion of Senator Mitchem, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 111. To provide for licensure and regulation of the home building industry; to provide for examination and issuance of licenses; to provide for the Home Builders Licensure Board; to provide for licensing fees and penalties for violations; to authorize said board to prescribe administrative rules and regulations; to provide for revocation of licenses; to prescribe appellate procedure for board decisions and to exempt certain persons and entities from this act.

Yeas 19 Nays 1
Abstaining 1

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Ellis,

Foshee, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Preuitt,
Smith (B), Smith (J), Waggoner, and Windom -19

Nay: Senator Floyd - 1

Abstaining: Senator Corbett - 1

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a message from the Governor relative to
the State Board of Pardons and Paroles.

Respectfully submitted,

GENE ANDERSON,
Executive Secretary/
Chief of Staff.

Done this 18th day of July, 1991.

To the Senate of Alabama
Alabama State House
Montgomery, Alabama

Lady and Gentlemen:

I have appointed, subject to your confirmation, Ms. Judith C.
O'Connor to the State Pardons and Paroles Board, replacing Mr. Jack
D. Shows, and her term will expire June 30, 1997.

Respectfully submitted,

GUY HUNT,
Governor.

Done this 18th day of July, 1991.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor,

relative to an appointment to the State Pardons and Paroles Board, was read and referred to the Standing Committee on Confirmations.

BUDGET ISOLATION RESOLUTION

Senator Lipscomb, B.I.R., HB 136, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 136. To authorize and provide the procedure for certain full-time employees of Soil and Water Conservation Districts throughout Alabama to be covered under the state employees' health insurance plan; to provide for the payment of the premiums for employees and their dependents; to provide for the termination of coverage under this act; and to require the state employees' insurance board to promulgate rules and regulations as may be required for the effective administration of the provisions of this act.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 109, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom

-23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 109. To amend Sections 36-7-20 and 36-7-22 of the Code of Alabama 1975 so as to provide for the per diem allowance and mileage allowance for persons traveling on state business.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom

-23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 572, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom

-23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 572. To provide that all procedures, protections and remedies afforded to a motor vehicle dealer shall also be available to a motor vehicle distributor whose distributor agreement is terminated, canceled, not renewed, modified or replaced by a manufacturer or an importer.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom
-23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 380, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom
-23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 380. To amend Section 2(C)(111) of Act 90-764 of the 1990 Regular Session so as to provide for the retention of inspection and supervision fees to meet the financial responsibilities of the Public Service Commission.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Preuitt, B.I.R., HB 593, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 593. To amend sections 30-3-61 and 30-3-62, Code of Alabama 1975, relating to child support withholding orders, so as to require the employer to remit to the clerk of the court, the department, or its designee the child support withheld within 10 days of the date the obligor is paid; to provide that payments withheld shall be paid over by the employer in accordance with section 30-3-61(b), Code of Alabama 1975; to specify the requirements for termination of withholding orders; and to require prompt termination of withholding when criteria are met; to amend section 30-3-94, Code of Alabama 1975, relating to the Interstate Income Withholding Act, so as to provide for immediate wage withholding on interstate child support cases.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried,

Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom -23

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Parsons, B.I.R., HB 488, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom -23

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 488. To amend Sections 36-21-60, 36-21-61 and 36-21-63, Code of Alabama 1975, as amended, relating to the Peace Officers' Annuity and Benefit Fund, so as to provide for additional members to the board and to further provide for a quorum.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom -23

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Parsons, B.I.R., HB 416, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried,
Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell,
Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner,
and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 416. To amend §40-23-2, Code of Alabama, 1975, relating to taxes levied on certain gross receipts, so as to provide that athletic events conducted by a primary or secondary public school shall be exempted from said tax and to provide that said funds shall continue to be collected and shall be retained by the collecting school.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried,
Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell,
Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner,
and Windom -23

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchell, B.I.R., HB 295, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried,
Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell,
Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner,
and Windom -23

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 295. To amend Section 36-21-8, Code of Alabama 1975, relating to certain law enforcement officers retaining their badge and pistol as part of retirement benefits, to include certain law enforcement officers who are employees of the state forestry commission.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom
-23

Nays:

- 0

THE BILL:

H. 270. To make a conditional appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1992.

was taken up.

On motion of Senator Windom, the Rules were suspended and further consideration of the Bill, HB 270, was postponed.

BUDGET ISOLATION RESOLUTION

Senator Preuitt, B.I.R., HB 870, adopted.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom
-23

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 870. To appropriate from the agricultural fund for the fiscal year ending September 30, 1991 the sum of \$250,000 for use by the Department of Agriculture and Industries.

was read a third time at length and passed.

Yeas 23 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, deGraffenried, Denton, Ellis, Figures, Floyd, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Sanders, Smith (B), Smith (J), Waggoner, and Windom
-23

Nays:

- 0

RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

SR 155. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-ninth legislative day of the 1991 Regular Session only:

Inst Id	Page
H. 659	88
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On motion of Senator Preuiti, the Resolution was adopted by the Senate.

Senator Dixon offered the following Senate Joint Resolution, to-wit:

SJR 156. EXPRESSING CONDOLENCES TO THE SENATE AND ASSEMBLY OF THE STATE OF NEW YORK.

WHEREAS, the Legislature of Alabama has read with great consternation an associated press report wherein approximately twenty New York drivers and other occupants in their cars sat and watched an adult male rape a three year old girl alongside the road along FDR Drive at 115th Street in Manhattan; and,

WHEREAS, not one single proud son or daughter of the "Big Apple" offered aid or assistance to the victim, the three year old niece of the suspect, until Mr. Noel Sanchez, a tow truck driver arrived and immediately called for police help on his truck radio; and

WHEREAS, Mr. Sanchez was then assisted by an unidentified truck driver until the police arrived at which time the suspect was captured, arrested and taken to jail; Now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to express to Mr. Noel Sanchez and the unidentified truck driver our respect and admiration; and

BE IT FURTHER RESOLVED, That the Legislature of Alabama wishes to express its condolences to the Legislature of the State of New York for representing such unconcerned, uncaring, sorry specimens of humanity as is so well represented in those automobile occupants who could stop and watch a three year old child be raped and further molested without offering aid; and

BE IT FURTHER RESOLVED, That it is beyond this generation

of Alabamians, representing all races and creeds, how any adult American, even New Yorkers, known for their attitude of never getting involved in a fellow human being's tragedy or danger, could possibly observe a child's rape and do nothing; and

BE IT FURTHER RESOLVED, That our condolences are also offered to all the decent caring people of the State of New York for having to share statehood with such a sorry group of people as previously described.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Senate and the Assembly of the State of New York.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Foshee offered the following Senate Resolution, to-wit:

SR 157. CREATING THE SENATE INTERIM STUDY COMMITTEE ON GROWTH AND ECONOMIC DEVELOPMENT IN THE SOUTHEAST.

WHEREAS, the states comprising the Southeastern United States have recently experienced significant growth and economic development; and

WHEREAS, the states of this region afford their citizens many unique opportunities to enjoy a quality lifestyle that is unequalled in this country; and

WHEREAS, the states of this region share many interests concerning population growth and its effects; the development of business, industry, and transportation; economic development; and the wise conservation and use of the region's natural resources; and

WHEREAS, every effort should be taken by the states of the Southeast to establish and strive for common goals and to discuss areas of concern to the states in order to ensure the growth and economic development of the region; now therefore,

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That there is created the Senate Study Committee on Growth and Economic Development in the Southeast to be composed of five members of the Senate to be appointed by the Lieutenant Governor. The Lieutenant Governor shall designate a member of the committee as

chairman of the committee. The chairman shall call all meetings of the committee.

BE IT FURTHER RESOLVED, That the committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any actions or legislation which the committee deems necessary or appropriate. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution. The Secretary of the Senate shall provide adequate staff and supplies so as to enable the committee to function competently and effectively.

Which was adopted.

BUDGET ISOLATION RESOLUTION

Senator Horn, B.I.R., HB 659, adopted.

Yeas 18 Nays 3

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Dixon, Foshee, Hale, Horn, Langford, Lipscomb, Mitchell, Owens, Parsons, Smith (B), Smith (J), and Waggoner -18

Nays:

Senators:

Corbett, Sanders, and Windom

-3

SPECIAL ORDER CALENDAR

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the second special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 659. To amend Sections 40-7-1, 40-12-255, 40-12-252, 40-11-1, 40-8-1 and 32-8-2, Code of Alabama 1975, relating to mobile homes, so as to provide for registration and issuance fees for mobile home decals, provide further for ad valorem taxes on the mobile homes, provide for penalties for certain violations, provide for distribution of the fees and provide for certain exemptions from the registration fees.

Senator Horn offered the following substitute for the Bill, HB 659, to-wit:

SUBSTITUTE FOR HB 659

**A B I L L
T O B E E N T I T L E D
A N A C T**

To amend Sections 40-7-1, 40-12-255, 40-12-252, 40-11-1, 40-8-1 and 32-8-2, of the Code of Alabama 1975, relating to mobile homes so as to redefine mobile homes as "manufactured homes" and to provide for the registration and issuance fee for manufactured home decals, provide further for ad valorem taxes on manufactured homes, provide for penalties for certain violations, provide for distribution of the fees, and provide for certain exemptions from the registration fees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-7-1 of the Code of Alabama 1975, is hereby amended as follows:

"§40-7-1.

"(a) The tax assessor or other assessing official in each of the several counties shall have the right and authority to assess all real estate, together with improvements thereon, and all personal property to the party last assessing the same, or to the owner of record, except such real estate and personal property which is now or may hereafter be assessed by the department of revenue. The failure of the tax assessor or other assessing official to assess said property to the true owner shall not invalidate the assessment. The tax assessor or other assessing official shall have the right and authority to prescribe the proper book-keeping method to carry out the provisions of this article, subject to the approval of the chief examiner of public accounts. Should the owner of any real estate make improvements on such property, or should any improvements be removed or destroyed or partially removed or destroyed during any taxable year, it shall be the duty of such owner to make a tax return between October 1 and prior to January 1 covering all such changes made subsequent to October 1 of the preceding tax year. Improvements partially completed on October 1 shall be reported to the tax assessor or other assessing official by the owner thereof and shall be assessed as incomplete for that tax year. It shall be the duty of any person who purchases real estate prior to October 1 of any taxable year and who owns said real estate on that date to report such purchase to and

assess that property with the tax assessor or other assessing official between October 1 and prior to January 1 following such purchase. No penalty shall be charged such taxpayer for failure to report the purchase or sale of any real estate.

(b) Every person, firm or corporation who owns, maintains, or keeps a mobile manufactured home shall receive a decal upon the payment of the ad valorem tax on said mobile manufactured home. Said decals shall be designed by the state department of revenue and displayed on the mobile manufactured home for which the ad valorem taxes were paid, as set out in Paragraph A of Section 40-12-255, on or near the front entrance of such mobile home in such manner that it shall be readily accessible to the view of the county taxing officials or state department of revenue officials.

This decal shall take the place of all other decals of any county or municipality, and there will be no other decals required. Said decal shall be proof of payment of said ad valorem taxes registration fee; and no local taxing authorities shall impose any other registration fee that is in addition to the fee provided for herein. However, the payment of said fee shall not preclude the payment of duly enacted local taxes.

~~(c) The owner or lessor of the real estate on which any mobile home is situated shall report the name and address of the owner of such mobile home at such times as the commissioner of revenue may require on forms furnished by the department of revenue. The commissioner and the state department of revenue are hereby empowered to implement and enforce any rules or regulations reasonably necessary to administer the provisions of this chapter, including but not limited to, notice, hearings and appeals processes.~~

~~(d) Any public or private entity that provides or sells any gas or electric services and connects such services to any mobile home shall, not less often than monthly, report to the county tax assessing official a list containing each such mobile home connected to such service during the period preceding the report, together with the name of the occupant and the location of the connection."~~

Section 2. Section 40-12-255 of the Code of Alabama 1975, is hereby amended as follows:

"§40-12-255.

"(a) Every person, firm or corporation who owns, maintains or keeps in this state a travel trailer manufactured home as defined

according to Subsection (n) of this Section, except a ~~travel trailer~~ manufactured home that constitutes a part of his stock as a dealer of the inventory of a manufacturer or dealer, shall pay an annual registration fee of ~~\$3.00~~ \$24.00 for an owner occupied single wide (one transportable module) manufactured home, \$48.00 for an owner occupied double wide or larger (two or more transportable modules) manufactured home, \$48.00 for a commercial single wide (one transportable module) manufactured home, or \$96.00 for a commercial double wide or larger (two or more transportable modules) manufactured home, provided, however, that any manufactured home 10 years of age or greater but less than 20 years of age shall pay 75% of the above stated fees, and any manufactured home 20 years of age or greater shall pay 50% of the above stated fees; and upon payment thereof such owner shall be furnished an identification tag decal, designed by the Department of Revenue and color coded to denote the size and year issued, which shall be immediately attached to and at all times thereafter displayed ~~on the back of the trailer~~ at eye level on the outside finish of the Manufactured Home for which the registration fee was paid, and one foot from the corner on the right side facing the street, so as to be clearly visible from the street. ~~for which the registration fee was paid.~~ The registration fee hereby provided for shall be paid in the county in which such ~~trailer~~ manufactured home is customarily kept to the same county official who normally collected Ad Valorem tax on manufactured homes prior to the passage of this act; provided, however, that the responsibilities for administering the provisions of this law may be transferred to another county official with the mutual consent of the elected county officials involved. ~~issues motor vehicle license tags in such county and~~ The fee shall be due, and payable ~~and~~ on October 1 of each year and delinquent if not paid before December 1 of each year. For the year beginning October 1 1991, the registration fee shall be in lieu of the Ad Valorem taxes that would have been due and payable on October 1, 1991, and any taxpayer who pays the registration fee on his manufactured home between October 1, 1991 and November 30, 1991, shall not be subject to any delinquent ad valorem taxes or fees. The owner of the manufactured home shall furnish to the registration official the make, model, year, length, width, number of transportable modules and serial number of the manufactured home and the registration official shall furnish a receipt to the manufactured home owner containing the above referenced information. The registration fee shall be disbursed by the collecting official by the 20th of the month following the month of collection and shall be disbursed as follows, 25% to the state general fund, 25% to the county general fund, 25% to the county school board except that if the manufactured home is located within a city school district then the 25% shall go to the city school board, and 25% to the city or municipality in which the manufactured home is located, except that if the

manufactured home is not located within a municipal corporate limits then the county general fund will receive the 25% share that would have gone to the municipality. at the same times that motor vehicle license taxes are due, payable and delinquent. The official collecting such registration fees and issuing such identification tags decals in evidence of payment thereof shall also collect a \$5.00 issuance fee to be distributed as follows: \$4.00 to the county general fund if the issuing official is on salary and if the issuing official is on the fee system, then the \$4.00 issuance fee shall go to the issuing official, and the remaining \$1.00 shall accrue to an account in the office of the county treasurer for use by the issuing official or designated representative, and such accumulated moneys shall be used only for administering or enforcing the manufactured home laws. be entitled to the same fees therefor that he receives for issuing motor vehicle license tags. He shall distribute the proceeds of such registration fee at the same time, in the same manner and proportions and under the same pains and penalties as he does the proceeds of motor vehicle licenses; and he shall be entitled to the same commissions or allowances for so collecting and disbursing these registration fees as he receives for handling funds derived from issuing motor vehicle license tags. The identification tags shall be of the same size and design as motor vehicle license tags, shall be procured by the same state official in the same manner that motor vehicle license tags are procured and shall be furnished to the several probate judges or other county officials charged with the duty of issuing motor vehicle license tags at the same time and in the same manner that motor vehicle license tags are furnished.

(b) The owner of any travel trailer manufactured home who fails to pay the registration fee hereby provided for shall be subject to a delinquent fee of \$10.00 if payment is made on or after December 1; or if the manufactured home owner who fails to pay the registration fee or if the owner fails to display the identification tag decal on such manufactured home trailer, as hereinabove required. Furthermore, the owner shall be subject to a citation fee of \$15.00 and if the registration fee and citation fee are not paid within 15 calendar days of the date cited a penalty of \$24.00 will be assessed against the owner of the manufactured home. The county license inspector or deputy license inspector shall have authority to issue citations and assess penalties. The county official charged with the responsibility of administering this law shall have the authority to designate employees of his office or by mutual consent of the tax assessor, employees of the tax assessor's or appraisal office as deputy license inspectors. The delinquent fee and penalty shall be distributed in the same manner as the registration fee. The citation fee shall accrue to the county general fund if the citation is issued by the county license inspector's office. The citation fee shall accrue to an

account in the office of the county treasurer for use by the assessor, collector, license commissioner, or revenue commissioner if an employee of that office issues the citation, and the citation fee shall be used only for administering and enforcing the manufactured home laws. The official responsible for administering the provisions of this section must collect all fees and penalties due before a decal may be issued to the manufactured home owner. The penalties set out under 32-6-65(b) are not applicable to manufactured homes. ~~the same penalties prescribed by law for a like offense relative to the payment of motor vehicle license taxes and the affixing of motor vehicle license tags; and this section shall be enforced by the same officers, under the same conditions and through the same procedures that laws relative to the issuance and display of motor vehicle license tags are; except, that failure to comply with this section shall constitute an offense whether the travel trailer is or is not used or operated on the roads or highways of the state.~~

(c) The owner or lessor of the real estate on which any manufactured home is situated shall report the name and address of the owner of such manufactured home at such times as the commissioner of revenue may require on forms furnished by the department of revenue. The commissioner and the state department of revenue are hereby empowered to promulgate and enforce any rules or regulations reasonably necessary to administer the provisions of this chapter, including but not limited to, notice, hearings and appeals processes.

(d) Any public or private entity that provides or sells any gas or electric services and connects such services to any manufactured home shall, not less often than monthly, report to the county tax assessing official a list containing each such manufactured home connected to such service during the period preceding the report, together with the name of the occupant and the location of the connection.

(e) The manufactured home owner shall furnish to the county official charged with the responsibility of administering this law a copy of the prior year's registration receipt, unless such manufactured home is new and a registration decal has never been issued, in which case the county official charged with the responsibility of administering this law shall be furnished a bona fide bill of sale from the dealer showing when the manufactured home was bought and a certificate of title issued by the Alabama department of revenue or application for a certificate of title for a 1990 or subsequent year model manufactured home or, in the case of a used manufactured home brought into the state from any other state the county official charged with the responsibility of administering this law shall be furnished a bona fide certificate of title, manufacturer's certificate of origin or bill of sale, properly assigned, showing when the manufactured home was sold to an individual, firm, corporation or

association now living or operating in this state. If such bill of sale or certificate of title is not furnished, the manufactured home will be presumed to have been in the state for the two previous years and the registration fee shall be immediately due and payable for the two previous years plus the current year, but in no case will the registration fee be due and payable for any period prior to October 1, 1991.

(f) Manufactured homes brought into the state during any tax year, new manufactured homes for which registration decals have never been issued, or manufactured homes sold from the stock of a dealer or otherwise acquired during any tax year, shall be subject to registration the same as if they had been held or owned in the state on October 1; except, that registration fees thereon shall be assessed on a quarterly basis as follows:

(1) Manufactured homes brought into the state or sold from stock after October 1, but before January 1 following, shall be subject to registration the same as if held or owned in the state on October 1.

(2) Manufactured homes brought into the state or sold from stock after the last day of December, but before April 1 following, shall be subject to registration for three quarters of the tax year.

(3) Manufactured homes brought into the state or sold from stock after the last day of March, but before the first day of July following, shall be subject to registration for one half of the tax year.

(4) Manufactured homes brought into the state or sold from stock after the last day of June, but before October 1 following, shall be subject to registration for one fourth of the tax year.

(g) Any person, firm, or corporation acquiring a new manufactured home or bringing a manufactured home into the state for the first time, except a manufactured home which constitutes a part of the inventory of a dealer or manufacturer, shall have 30 calendar days from the date of the bill-of-sale or from the date the manufactured home entered the state for the first time to register said manufactured home without a delinquent fee.

(h) Manufactured homes shall not be included in any assessment for ad valorem tax purposes made by any person, firm or corporation unless said manufactured home meets the requirements of subsection (15) of 40-11-1. Any manufactured home that is assessed for ad valorem tax purposes under subsection (15) of 40-11-1 shall not be

subject to registration.

(i) Any owner occupied manufactured home owned by any person over the age of 65 or any owner who is totally disabled shall be exempt from paying the annual registration fee. The exemption must be claimed annually by the manufactured home owner between October 1 and November 30. Proof of age shall only be required once and a copy of proof may be kept on file. Proof of disability may be, but shall not be limited to, the written certification of such total disability by any two physicians licensed to practice in this state. The payment of the \$5.00 issuance fee will be required in order to receive the exemption and decal.

(j) No manufactured home may be moved on the roads or highways of Alabama unless one of the following provisions are met:

(1) Every person, firm, or corporation who owns, maintains, or keeps in this state a manufactured home, must obtain a permit to move said manufactured home on the highways of Alabama. The permit shall be obtained from the county official who administers the manufactured home registration laws. Proof of payment of the current registration fee, issuance fee, and any applicable penalties shall be required before the moving permit shall be issued. Manufactured home dealers shall not be required to obtain a moving permit when moving a manufactured home that is part of dealer's inventory or moving a manufactured home for the first time after a sale of such manufactured home from dealer's inventory as evidenced by a bill of sale or bill of lading.

(2) If the manufactured home is owned by a dealer, manufacturer, lien holder, or an out-of-state person, firm, or corporation and is being transported within or through the state of Alabama, or entering the state of Alabama for the first time, then proof of ownership of said manufactured home by said person, firm, or corporation as evidenced by a tag, decal, bill-of-sale, bill of lading, or title shall be sufficient and a permit will not be required; provided, however, that a lien holder will be required to notify, in writing, within 10 days of moving any manufactured home, the county official charged with the responsibility of administering this law, and such official shall send a notice of any delinquent taxes, if applicable within 10 days, and lien holder shall pay delinquent tax within 30 days of being notified.

(3) The above referenced moving permit shall be in addition to any other moving permits required by law.

(4) The provisions of this section shall be enforced by any law

enforcement officials in the state of Alabama. Any person, firm, or corporation moving a manufactured home on the roads or highways of Alabama without a moving permit shall be issued a traffic citation for failure to have in possession the required moving permit and shall be guilty of a class C misdemeanor; and upon conviction thereof shall be subject to a fine of not less than \$50.00.

(5) The issuing official shall charge a \$10.00 fee for the above-referenced moving permit. One-half of said fee shall accrue to the county general fund to cover the costs of obtaining and issuing said permits, and the remaining one-half shall accrue to the State Road and Bridge Fund.

(6) The department of revenue shall design the above referenced moving permit and shall promulgate rules and regulations for their use.

(k) Any person, firm, or corporation required to register a manufactured home under the provisions of this article must show proof of payment of sales/use tax before the decal may be issued.

(l) Any person violating any provision of this article shall be guilty of a class C misdemeanor and, upon conviction thereof, shall be subject to a fine of not less than \$50.00.

(m) All manufactured homes owned by the United States Government, the State of Alabama, and county or municipal corporations are exempt from the registration fees provided for under this section.

(n) For purposes of administering the provisions of this section the definition of "manufactured home" shall be the following: A structure, transportable in one or more sections, and which is built on a permanent chassis, and not designed normally to be drawn or pulled on the highway except to change permanent locations but is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, including the plumbing, heating, air conditioning, and electrical systems, if any, contained therein. It may be used as a place of residence, business, profession, trade or for any other purpose, by the owner, lessee, or assigns and may consist of one or more units that can be attached or joined together.

(o) For the purposes of administering the provisions of this section, the definition of a manufactured home used for commercial purposes shall be any manufactured home except an owner-occupied manufactured home used as a single family residence."

Section 3. Section 40-12-252 of the Code of Alabama 1975, is hereby amended as follows:

"§40-12-252.

"(a) For each trailer, other than manufactured homes ~~house trailers~~, and each semitrailer operated on the public highways of this state, the following annual license taxes and registration fees are hereby imposed and shall be charged:

(1) For each privately owned utility trailer or travel trailer, which is not operated for hire, lease or rental, ~~\$3.00~~ \$12.00;

(2) For each utility trailer, rented or leased for compensation of any kind or nature, ~~\$8.00~~ \$15.00;

(3) For each truck or tractor trailer or semitrailer, \$20.00; and provided, that any trailer or semitrailer used by a farmer exclusively for transporting farm products to and from market or for transporting the personal property of a farmer for his own use on the farm shall not be subject to the license taxes and registration fees provided for in this section. Trailers of any kind or description for hauling passengers for hire are prohibited by law and shall not be licensed under this article.

~~(b) Travel trailers, which are excluded from the foregoing provisions of this section, are subject, however, to the registration fee provided for in sections 40-12-255 through 40-12-257.~~

~~(c)~~ (b) At the option of the owner, a fleet of 50 or more rental utility trailers, or truck trailers, tractor trailers or semitrailers excluding any ~~house trailers~~ manufactured homes, required to be licensed in this section may be registered for a period of five years, or any number of years to be designated by the commissioner, provided the following requirements are met:

(1) The application shall be made on forms prescribed by the commissioner and shall contain such information as the commissioner may require.

(2) Upon receipt of proper application and fees, there shall be issued for each trailer in the fleet a registration plate which shall be valid for the number of years specified. All plates issued to a fleet shall expire on the last day of the final month of the period for which issued. Should the fleet owner add trailers during the registration period, the registration

of the additional trailers shall expire on the same day as the original fleet of trailers are to expire.

(3) The fleet owner shall be required to pay all registration renewal fees due each year for all trailers registered in his fleet prior to the expiration date. If the renewal fees are not paid, all license plates and registrations in the fleet shall be cancelled.

~~(d)~~ (c) The department of revenue shall have the authority to develop and promulgate reasonable rules and regulations as needed to administer the provisions of this section."

Section 4. Section 40-11-1 of the Code of Alabama 1975, is hereby amended as follows:

"§40-11-1.

"(a) As used in this section the following terms shall have the meanings ascribed herein:

(1) CONSTRUCTION PURPOSES. The normal and ordinary meaning of the words, except that mining activities or the transportation of materials used in or produced by mining or forestry activities shall not be construed to be included;

(2) HEAVY DUTY EQUIPMENT. Any motor vehicle used primarily off the open road for construction purposes, including all road construction equipment whose gross weight exceeds 16,000 pounds, but not including inventory on hand for sale by duly licensed equipment dealers.

(b) The subjects of ad valorem taxation, except as exempted by law, shall be as follows:

(1) Every piece, parcel, tract or lot of land in this state, including therein all things pertaining to such land, and all structures and other things so annexed or attached thereto as to pass to a vendee by conveyance of such land; and every separate or special interest in any land, such as minerals, the right to mine minerals, the right to turpentine, oil or petroleum, natural gas and the right to remove same from the soil, or any other interests when such interests are owned by persons other than the owner of the surface or soil, except growing crops, standing timber or any tree, bush, vine or other growing thing from which a crop is harvested;

(2) All docks, wharves, wharf boats, landings, warehouses, toll bridges, ferries, canals, passes, channels, turnpikes, all street railroads, printing presses and materials;

(3) All steamboats, barges, vessels and watercraft of every name and kind however propelled, plying waters of this state, and the owner thereof shall return same for taxation to the assessors in the county wherein he resides; and, if such steamboat, barge, vessel or watercraft is owned by a corporation, then in that county where its principal office is located; in the case of the owner's being an individual not residing in this state or being a corporation with no principal office in this state, then in the county or counties where used; all such steamboats, barges, vessels or watercraft whether owned by a resident or nonresident of this state, which have acquired a permanent situs in this state. All transfer boats, steamboats or barges used by any railroad in transferring cars and passengers must be assessed and taxed in the county or counties where used, or where the owner resides, regardless of where such vessel may be registered;

(4) All stocks of goods, wares and merchandise, the assessment to be on the average amount on hand during the preceding year, except in cases where business is commenced on or after October 1 of a current year, and in such cases the assessment to be on the capital actually employed in the business and apportioned as hereinafter provided, but the amount so assessed for any whole year shall in no case be less than the capital actually employed in the business, and this shall include all goods, wares and merchandise kept on plantations or elsewhere, or by railroad companies or persons, for sale or to be dealt out to laborers or employees for profit, or on account of their wages, and shall include all goods, wares and merchandise offered for sale by any person commencing business subsequent to October 1 of a current year, but in such case the tax shall be apportioned according to the date at which the business was commenced, so that if commenced after January 1, the tax shall be three fourths of the tax for the whole year; if commenced after April 1, the tax shall be one half of the tax for the whole year; provided, that the assessment herein provided for shall not include products raised on the farms in the hands of the original producers. If the person, association or corporation, receiver or trustee carrying on such business shall fail to make return of the amount of stock of goods, wares and merchandise as provided by law, or if the county tax assessor is not satisfied with the return made, in order to make proper assessment, he shall have the right to demand a copy of the last inventory made of such stock of goods, wares or merchandise, and may also by inquiry of persons believed to have knowledge of the subject

obtain information as to the probable average amount of such stock, and from such information may assess the same upon his best judgment;

(5) All household and kitchen furniture, mechanical and electrical refrigerators, libraries, jewelry, precious stones, plate and silverware, ornaments and articles of taste, pianos and other musical instruments, paintings, clocks, gold, silver and other watches and gold and other safety chains, all wagons and other vehicles; all motor cars, automobiles, trucks, buses, tractors, motorcycles and other motor vehicles and bicycles; travel trailers, utility trailers, semitrailers, and all other trailers of any kind; all outboard motors; airplanes, airships and other aircraft and aircraft landing fields and equipment; all typewriters; all cash registers; all calculating machines; all bookkeeping machines, teletypes, dictaphones and other recording or sending apparatus or machines; all phonographs and all machines of like character; all radio sending and receiving sets and appliances; all iron safes and cabinets, all store fixtures, all office furniture and fixtures; all mechanical tools and farming implements; all tanks, all storage reservoirs or basins; all golf bags, golf sticks and all other sporting goods; all pistols and guns; all cattle and horses, mules, studs, jacks and jennets; all hogs, sheep and goats, except as specifically exempted; all x-ray machines; all lens grinding machines, all eye-testing machines, all surgical instruments and all other instruments or appliances used in surgical, dental, medical, optometrical or other professional work;

(6) All money hoarded, whether in the custody of the owner in this state, or in another state, or in any safety deposit box, safe or vault, or elsewhere, except money on deposit in banks which is specifically exempted from taxation;

(7) All investments in bonds, except bonds of the United States, the state of Alabama and of counties and municipalities of this state, warrants or other obligations of county and city school boards in this state, and such other bonds as are not by law taxable; and all capital invested in bonds or currency which are exempt from taxation shall be liable to be taxed under this section should such capital at any time during the year be reconverted into money, bonds or property which is taxable, unless it is made to appear that the money, bonds or property into which such reconversion may be made has been assessed for taxes for such year;

(8) All roadbed, track, engines, cars, derricks, cranes, signals, crossties and other property, real and personal, of railroads, of mining and manufacturing plants, and all tramroads, pole-roads, canals, ditches and channels used for transporting or moving mineral ore, lumber,

timber, logs, minerals, coal, ore, sand, gravel or other commodities, whether raw or manufactured, which are not taxed as improvements on the land or plant or main property, of the owner of such tramroads, pole-roads, canals, ditches or channels;

(9) Shares in corporations or associations, not incorporated under the laws of this state, except stock in national banks; in arriving at the value of shares of stock of a corporation or association for the purposes of taxation, whether said corporation is domestic or foreign, all dividends earned or declared and not distributed shall be treated as assets of said corporations;

(10) On the gross amount of sales of goods, wares and merchandise owned by nonresidents made at auction in or during the tax year preceding the assessment of goods, wares and merchandise kept in stores for sale in the ordinary course of business, each auctioneer shall be assessed and shall pay a tax of one fourth of one percent, and each auctioneer shall pay a like tax on the gross amount of sales made by him of goods, wares and merchandise owned by citizens of this state which have been imported into this state and sold at auction before same have been assessed for taxes as other property; but on sales of goods, wares and merchandise and fruit by cargo at auction, the rate of taxation shall be one eighth of one percent;

(11) On the gross amount of commissions or sums charged and received during each year by any auctioneer; provided, that nothing herein contained shall be construed as levying a tax on commissions received for the sale or rental of real estate, or brokerage on loans or real estate or the underwriting of insurance;

(12) All the real and personal property of water companies, including pumping stations, reservoirs, standpipes, towers, pipelines, gates, valves, tunnels, canals and dams used in the business of supplying water to consumers for pay; all real and personal property of hydroelectric power, steam or other power and light companies; natural and manufactured gas companies and gas light companies, including all machinery, engines, dynamos, wires, poles, pipelines, tubes and appliances of every nature and description used in connection therewith; all real and personal property of every furnace, rolling mill, mine, quarry or manufacturing establishment, including all machinery, all engines, hoisting engines, derricks and appliances of every nature used in the business; all dams across rivers and creeks; all real and personal property of cotton gins, cotton mills, cotton compresses, cottonseed oil mills, grain elevators, flour and grist mills, molasses and syrup mills, paper mills, chemical plants or manufactories, fertilizer factories or

mixing plants; all peanut oil mills and peanut mills, creosoting plants, concrete mixing plants, crosstie plants and stave mills and heading mills;

(13) All property, real and personal, of all cement plants, lime plants, plaster plants or quarries or other manufacturing, mining or quarrying plants not herein specifically exempted;

(14) All property, including heavy duty equipment, used for construction purposes.

(15) All ~~mobile~~ manufactured homes located on land owned by the manufactured home owner, except those manufactured homes rented or leased for business purposes, other than those ~~mobile~~ manufactured homes in the inventory of a ~~mobile~~ manufactured home dealer or manufacturer.

(16) All other property, real, personal or mixed, not hereinbefore specified, of whatever class, whether ejusdem generis or not, except as herein specifically exempted, which said property shall be assessed and specifically described.

(c)(1) All property described in section 40-11-1(b)(14) brought into the state after October 1 of any tax year and before the assessor has completed his assessment, shall be subject to taxation the same as if it had been held or owned in the state on October 1. In addition, heavy duty equipment brought into the state after October 1 and after the assessor has completed his assessment shall be subject to taxation the same as if it had been held or owned in the state on October 1; except that such tax shall be prorated with respect to the number of months remaining in the year.

(2) Property described in section 40-11-1(b)(15) shall be taxed as realty, ~~whether such property is located on the real property of the owner or on the real property of another. Where the ownership of such property is different from ownership of the land on which it is located, then, in the event of delinquency in the tax due on the property described in section 40-11-1(b)(15), sale of such property shall be in accordance with section 40-5-14."~~

Section 5. Section 40-8-1 of the Code of Alabama 1975, is hereby amended as follows:

"§40-8-1.

"(a) On and after October 1, 1978, with respect to ad valorem taxes

levied by the state, and, unless otherwise provided, with respect to ad valorem taxes levied by a county, municipality or other taxing authority other than the state, all taxable property shall be divided into the following classes and no other and shall be assessed for ad valorem tax purposes at the following ratios of assessed value to the fair and reasonable market value of such property, or, as may be provided by law, to the current use value of such property:

Class I. All property of utilities used in the business of such utilities, 30 percent.

Class II. All property not otherwise classified, 20 percent.

Class III. All agricultural, forest and residential property, and historic buildings and sites, 10 percent.

Class IV. All private passenger automobiles and motor trucks of the type commonly known as "pickups" or "pickup trucks" owned and operated by an individual for personal or private use and not for hire, rent or compensation, 15 percent.

(b) As used herein, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

~~(3)~~ (1) **AGRICULTURAL AND FOREST PROPERTY.** All real property used for raising, harvesting and selling crops or for the feeding, breeding, management, raising, sale of or the production of livestock, including beef cattle, sheep, swine, horses, ponies, mules, poultry, fur-bearing animals, honeybees and fish, or for dairying and the sale of dairy products, or for the growing and sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry and any combination thereof.

~~(6)~~ (2) **HISTORIC BUILDINGS AND SITES.** Regardless of the use to which such property is put, all buildings or structures (i) determined eligible by the state historic preservation officer for listing on the National Register of Historic Places; or (ii) located in a registered historic district and certified by the United States secretary of the interior as being of historic significance to the district.

~~(5)~~ (3) **ALL PRIVATE PASSENGER AUTOMOBILES AND MOTOR TRUCKS OF THE TYPE COMMONLY KNOWN AS "PICKUPS" OR "PICKUP TRUCKS" OWNED AND OPERATED BY AN INDIVIDUAL FOR PERSONAL OR PRIVATE USE AND NOT**

FOR HIRE, RENT OR COMPENSATION. All private passenger automobiles, as that term is defined in sections 40-12-240, subdivision (12), and 40-12-241; and all motor trucks of the type commonly known as "pickups" or "pickup trucks," weighing not exceeding 8,000 pounds gross weight.

(4) ~~ALL~~ PROPERTY NOT OTHERWISE CLASSIFIED. All real and personal property which does not fall within any one or more of Classes I, III and IV.

~~(4)~~ (5) ~~ALL~~ PROPERTY OF UTILITIES. All property assessed for taxation by the department of revenue pursuant to the provisions of chapter 21 of this title; provided, that after September 30, 1979, and only to the extent required by Title III, <306 of Pub. L. 94-210 (the Railroad Revitalization and Regulatory Reform Act of 1976, codified as 49 U.S.C. <26c), "transportation property," as that term is defined in the aforesaid statute, as heretofore or hereafter amended, or in any subsequent statute of similar import, shall not be assessed as Class 1 property.

~~(2)~~ (6) ~~ALL~~ RESIDENTIAL PROPERTY. Only ~~mobile homes~~ and real property, used by the owner thereof exclusively as the owner's single-family dwelling.

~~(7) MOBILE HOME. A structure, transportable in one or more sections, and which is built on a permanent chassis, and not designed normally to be drawn or pulled on the highway except to change permanent locations, but is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, including the plumbing, heating, air conditioning, and electrical systems, if any, contained therein. It may be used as a place of residence, business, profession, trade or for any other purpose, by the owner, lessee, or assigns and may consist of one or more units that can be attached or joined together.~~

(c) Wherever any statute provides for, limits or measures the power or authority of any county, municipality or other taxing authority to levy taxes, borrow money or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes.

(d) The following property shall be exempted from ad valorem taxation: the real and personal property of the state, counties and municipalities and real and personal property devoted exclusively to religious, education or charitable purposes. The property of Masonic

lodges, Knights of Columbus homes and union halls shall be exempt when used exclusively for the purposes and business of such organizations. All property now exempt by law shall continue to be exempt from taxation until changed by law.

(e) The department of revenue shall have authority to promulgate rules and regulations for the uniform identification and assessment of mobile manufactured homes."

Section 6. Section 32-8-2 of the Code of Alabama 1975, is hereby amended as follows:

§32-8-2.

"For the purpose of this chapter, the following terms shall have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) **CURRENT ADDRESS.** A new address different from the address shown on the application or on the certificate of title. The owner shall within 30 days after his address is changed from that shown on the application or on the certificate of title notify the department of the change of address in the manner prescribed by the department.

(2) **DEALER.** A person licensed as an automobile or motor vehicle dealer, mobile manufactured home dealer, or travel trailer dealer and engaged regularly in the business of buying, selling or exchanging motor vehicles, trailers, semitrailers, trucks, tractors or other character of commercial or industrial motor vehicles, mobile manufactured homes or travel trailers in this state, and having in this state an established place of business.

(3) **DEPARTMENT.** The department of revenue of this state.

(4) **DESIGNATED AGENT.** Each judge of probate, commissioner of licenses, director of revenue or other county official in this state authorized and required by law to issue motor vehicle license tags, who may perform his duties under this chapter personally or through his deputies, or such other persons, as the department may designate; the term shall also mean those "dealers" as herein defined who are appointed by the department as herein provided in section 32-8-34 to perform the duties of "designated agent" for the purposes of this chapter; such "dealers" may perform their duties under this chapter either personally or through any of their officers or employees.

(5) **IMPLEMENT OF HUSBANDRY.** Every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to licensing or registration if used upon the highways.

(6) **LIEN.** Every kind of written lease which is substantially equivalent to an installment sale or which provides for a right of purchase, conditional sale, reservation of title, deed of trust, chattel mortgage, trust receipt, and every written agreement or instrument of whatever kind or character whereby an interest other than absolute title is sought to be held or given on a motor vehicle or manufactured home.

(7) **LIENHOLDER.** Any person, firm, copartnership, association or corporation holding a lien as herein defined on a motor vehicle or manufactured home.

(8) **MANUFACTURER.** Any person regularly engaged in the business of manufacturing, constructing, assembling, importing or distributing new motor vehicles or manufactured homes, either within or without this state.

(9) **MOBILE MANUFACTURED HOME.** A structure, transportable in one or more sections, and which is built on a permanent chassis, and not designed normally to be drawn or pulled on the highway except to change permanent locations, but is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems, if any contained therein. It may be used as a place of residence, business, profession, trade or for any other purpose, by the owner, lessee, or assigns and may consist of one or more units that can be attached or jointed together. Except for Article 1 (definitions), wherever in Chapter 8, Title 32, Code of Alabama, 1975, as amended, the terms vehicle or motor vehicle shall appear, they shall be deemed to refer also to manufactured homes.

(10) **MOTOR VEHICLE.** Such term shall include:

a. Every automobile, motorcycle, mobile trailer, semitrailer, truck, truck tractor, trailer and other device which is self-propelled or drawn, in, upon or by which any person or property is or may be transported or drawn upon a public highway except such as is moved by animal power or used exclusively upon stationary rails or tracks;

b. Every ~~mobile home~~, trailer coach, and travel trailer ~~and house~~

~~trailer~~ manufactured upon a chassis or undercarriage as an integral part thereof drawn by a self-propelled vehicle.

(11) NEW VEHICLE OR MANUFACTURED HOME. A motor vehicle or manufactured home that has never been the subject of a first sale for use.

(12) NONRESIDENT. Every person who is not a resident of this state.

(13) OWNER. A person, other than a lienholder, having the property in or title to a vehicle or manufactured home. The term includes a person entitled to the use and possession of a vehicle or manufactured home subject to a security interest in another person, but excludes a lessee under a lease not intended as security. Under any lease-purchase or installment sales agreement where a governmental agency, either city, county or state, is the lessee or purchaser with a security interest or right to purchase, such lessee or purchaser shall be the owner for purposes of this chapter.

(14) PERSON. Such term shall include every natural person, firm, copartnership, association or corporation.

(15) POLE TRAILER. Every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as logs, poles, pipes, boats or structural members capable generally of sustaining themselves as beams between the supporting connections.

(16) SCRAP METAL PROCESSOR. Any person, firm, or corporation engaged in the business of buying scrap vehicles or manufactured homes, automotive parts, or other metallic waste by weight to process such material into scrap metal for remelting purposes, who utilizes machinery and equipment for processing and manufacturing ferrous and nonferrous metallic scrap into prepared grades, and whose principal product is metallic scrap.

(17) SCRAP VEHICLE OR MANUFACTURED HOME. Any vehicle or manufactured home which has been crushed or flattened by mechanical means or which has been otherwise damaged to the extent that it cannot economically be repaired or made roadworthy.

(18) SECURITY AGREEMENT. A written agreement which reserves or creates a security interest.

(19) SECURITY INTEREST. An interest in a vehicle or manufactured home reserved or created by agreement and which secures payment or performance of an obligation. The term includes the interest of a lessor under a lease intended as security. A security interest is "perfected" when it is valid against third parties generally, subject only to specific statutory exceptions.

(20) SPECIAL MOBILE EQUIPMENT. Every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over the highway, including but not limited to: ditch-digging apparatus; well-boring apparatus; road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes; and earth-moving equipment. The term does not include ~~house trailers~~ manufactured homes, dump trucks, truck-mounted transit mixers, cranes or shovels or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(21) STATE. A state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

(22) TRAVEL TRAILER. A vehicle without motive power, designed and constructed as a camping vehicle or a temporary dwelling, living or sleeping place and designed to be drawn or pulled on the highway, but not including folding or collapsible camping trailers and ~~mobile~~ manufactured homes as defined herein.

(23) USED VEHICLE OR MANUFACTURED HOME. A motor vehicle or manufactured home that has been the subject of a first sale for use, whether within this state or elsewhere.

(24) VEHICLE OR MANUFACTURED HOME IDENTIFICATION NUMBER. The numbers and letters on a motor vehicle or manufactured home designated by the manufacturer or assigned by the department for the purpose of identifying the motor vehicle or manufactured home."

Section 7. The Department of Revenue is hereby authorized to adopt, promulgate and enforce reasonable rules and regulations relating to the administration and enforcement of the provisions of this chapter not in conflict with the specific provisions hereof.

Section 8. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective for tax years beginning October 1, 1991.

Which was adopted.

Yeas 15 Nays 4

Yeas:

Senators:

Bedsole, Bolling, Campbell, Denton, Dixon, Ellis, Floyd, Hale, Horn,
Lipscomb, Mitchell, Owens, Preuit, Smith (B), and Waggoner -15

Nays:

Senators:

Bailey, Corbett, Parsons, and Windom -4

And said Bill, HB 659, as amended by the substitute, was read a third time at length and passed.

Yeas 15 Nays 4

Yeas:

Senators:

Bedsole, Bolling, Campbell, Denton, Dixon, Ellis, Floyd, Hale, Horn,
Lipscomb, Mitchell, Owens, Preuit, Smith (B), and Waggoner -15

Nays:

Senators:

Bailey, Corbett, Parsons, and Windom -4

BUDGET ISOLATION RESOLUTION

Senator Horn, B.I.R., HB 857, adopted.

Yeas 15 Nays 4

Yeas:

Senators:

Bedsole, Bolling, Campbell, Denton, Dixon, Ellis, Floyd, Hale, Horn,
Lipscomb, Mitchell, Owens, Preuitt, Smith (B), and Waggoner -15

Nays:

Senators:

Bailey, Corbett, Parsons, and Windom -4

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 857. To amend section 40-23-68 of the Code of Alabama 1975, to provide that the use taxes levied therein shall be paid to the State on a monthly basis beginning October 1, 1991.

was read a third time at length and passed.

Yeas 15 Nays 4

Yeas:

Senators:

Bedsole, Bolling, Campbell, Denton, Floyd, Ghee, Hale, Horn,
Lipscomb, Owens, Smith (B), Smith (J), Waggoner, Wilson, and
Windom -15

Nays:

Senators:

Amari, Bailey, Ellis, and Parsons -4

BUDGET ISOLATION RESOLUTION

Senator Mitchell, B.I.R., HB 477, adopted.

Yeas 20 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bolling, Campbell, Denton, Dixon, Ellis, Floyd, Ghee,
Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons,
Preuitt, Waggoner, and Windom -20

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 477. To authorize state agencies an administrative option to require the timely electronic remittance of immediately available funds by any person, corporation or partnership required to satisfy an obligation due any agency of the state of Alabama amounting to one hundred thousand dollars (\$100,000) or more effective January 1, 1992, fifty thousand dollars (\$50,000) or more effective January 1, 1993 and twenty-five thousand dollars (\$25,000) or more effective January 1, 1994; establishes the date from which penalties and interest will be computed; and authorizes the promulgation of rules and regulations governing the manner in which such payments shall be made.

was read a third time at length and passed.

Yeas 20 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bolling, Campbell, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Waggoner, and Windom -20

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Horn, B.I.R., HB 251, adopted.

Yeas 20 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bolling, Campbell, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Waggoner, and Windom -20

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 251. To make an appropriation from the State General Fund to the Alabama Council for Parenting and Protecting Children, Inc. for

the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Bailey, Campbell, Corbett, Denton, Ellis, Floyd, Foshee, Hale, Horn, Langford, Lipscomb, Mitchem, Owens, Parsons, Preuitt, Smith (B), Waggoner, and Windom -19

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 231, adopted.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Bailey, Campbell, Corbett, Denton, Ellis, Floyd, Foshee, Hale, Horn, Langford, Lipscomb, Mitchem, Owens, Parsons, Preuitt, Smith (B), Waggoner, and Windom -19

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 231. To make an appropriation from the State General Fund to the Lighthouse Counseling Center for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Campbell, Corbett, Denton, Dixon, Ellis, Foshee, Hale, Langford, Lipscomb, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Wilson, and Windom -19

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 233, adopted.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Campbell, Corbett, Denton, Dixon, Ellis, Foshee, Hale,
Langford, Lipscomb, Mitchem, Owens, Parsons, Preuit, Sanders,
Smith (B), Smith (J), Wilson, and Windom -19

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 233. To make an appropriation from the State General Fund to the Elyton Recovery Center for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Campbell, Corbett, Denton, Dixon, Ellis, Foshee, Hale,
Langford, Lipscomb, Mitchem, Owens, Parsons, Preuit, Sanders,
Smith (B), Smith (J), Wilson, and Windom -19

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 243, adopted.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Campbell, Corbett, Denton, Dixon, Ellis, Foshee, Hale,
Langford, Lipscomb, Mitchem, Owens, Parsons, Preuit, Sanders,
Smith (B), Smith (J), Wilson, and Windom -19

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 243. To make an appropriation from the State General Fund to the Commission on Aging for the Care Assurance System for the Aging and Homebound for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Campbell, Corbett, Denton, Dixon, Ellis, Foshee, Hale, Langford, Lipscomb, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Wilson, and Windom -19

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 244, adopted.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Campbell, Corbett, Denton, Dixon, Ellis, Foshee, Hale, Langford, Lipscomb, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Wilson, and Windom -19

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 244. To make an appropriation from the State General Fund to the Beacon House - Jasper for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Amari, Campbell, Corbett, Denton, Dixon, Ellis, Foshee, Hale, Langford, Lipscomb, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Wilson, and Windom -19

Nays:

- 0

THE BILL:

H. 248. To make an appropriation from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Amari, the Rules were suspended and further consideration of the Bill, HB 248, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 250, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 250. To make an appropriation from the State General Fund to the Child Advocacy Centers for the fiscal year ending September 30, 1992, and to require operations plans and audited financial statements prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, HB 250, to-wit:

AMENDMENT TO HB 250

Amend House Bill 250, on Page 2, after Line 5,
by adding the following:

"11. Northwest Alabama Children's Advocacy Center . . \$48,215

12. Houston-Henry County Child Advocacy Center . . \$48,215

The above appropriations to the Northwest Alabama Children's Advocacy Center and the Houston-Henry County Child Advocacy Center are conditioned on the availability of funds in the State General Fund and the approval of the Governor. Said conditional appropriations shall be the first priority conditionals from the State General Fund and shall be released prior to any other conditionals being released, notwithstanding any other provisions of law."

Which was adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens,
Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

And said Bill, HB 250, as thus amended, was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens,
Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 258, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens,
Pruitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 258. To make an appropriation from the State General Fund to the Retired Senior Volunteer Program for the fiscal year ending September 30, 1992, and to require an operations plan prior to release of any funds.

was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens,
Pruitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 266, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens,
Pruitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 266. To amend Act No. 90-556 of the Regular Session, 1990, as it amended Act No. 89-79 of the Regular Session, 1989, as it amended Act No. 88-947 of the 1st Extraordinary Session, 1988, as it amended Act No. 87-761 of the Regular Session, 1987, as it amended Section 4 of Act No. 86-645 of the 1st Extraordinary Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 267, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 267. To amend Section 2-C-52 of Act 90-764 of the Regular Session, 1990, so as to eliminate the requirement for a transfer to the State General Fund of \$2,000,000 from the Capitol Complex Maintenance and Repair Fund.

was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens,
Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Corbett, B.I.R., HB 248, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens,
Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

FURTHER CONSIDERATION OF HB 248

The Senate proceeded to further consideration of the Bill, HB 248.

Senator Corbett offered the following amendment to the Bill, HB 248, to-wit:

AMENDMENT TO HB 248

Amend House Bill No. 248, on Page 1, Line 23, as follows:

after the word "to" by striking "two" and inserting in lieu thereof
"three"

Further amend the bill on page 1, by striking lines 24 and 25 in
their entirety and inserting in lieu thereof "thousand nine two hundred
ninety dollars (\$309,290)".

Further amend the bill on page 1 after line 25 by adding the
following language:

"Of the above appropriation, \$20,000 is hereby appropriated to the Russell County Shelter for Battered Women".

Which was adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

And said Bill, HB 248, as thus amended, was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 265, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 265. To amend Section 41-4-17, Code of Alabama, 1975, as

amended, so as to eliminate the State Capitol building from exception of rent.

was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Horn, B.I.R., HB 370, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 370. To amend certain sections in Title 40 of the Code of Alabama 1975, relating to crimes and offenses committed by employees of the Department of Revenue for violations of revenue and taxation statutes, regulations and procedure requiring confidentiality of information and certain exclusions therefrom; to amend Section 40-18-52, Code of Alabama 1975, to increase the punishment for violation of the confidentiality of income tax returns and income tax information and to amend Section 40-1-33, Code of Alabama 1975, so as to increase the punishment for violation of the confidentiality of all tax returns and information secured by the Department of Revenue; to amend Section 40-1-33, Code of Alabama 1975, to provide for the promulgation of rules and regulations permitting the exchange of tax information with other federal, state, county and municipal government tax agencies and associations of state tax agencies; and to specifically repeal Sections 40-23-29 (relating to confidentiality of sales tax returns), 40-23-84 (relating

to confidentiality of use tax returns), 40-14-57 (relating to confidentiality of franchise tax returns), and 40-17-202 (relating to confidentiality of carriers and warehouse returns) of the Code of Alabama 1975 since those provisions would be duplicative of Section 40-1-33, Code of Alabama 1975.

was taken up.

On motion of Senator Horn, the Rules were suspended and further consideration of the Bill, HB 370, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Horn, B.I.R., HB 371, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 371. To amend Section 40-23-68 of the Code of Alabama 1975, to require out-of-state businesses with Alabama nexus to collect and report Alabama Use Tax on their sales to Alabama customers, and to provide for an effective date.

was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1056. Relating to Cullman County; to amend Section 1 of Act No. 1247, H. 1642, Regular Session 1971 (Acts 1971, p. 2147), relating to the issuance of pistol permits so as to increase the fee therefor.

Also:

H. 1057. Pertaining to Franklin County only; to permit a referendum of the voters regarding a temporary one cent sales tax for the benefit of the public schools so as to continue to ensure students with an uninterrupted quality instructional program, and to avoid further damage to public education due to proration; also, to set an ending date of temporary sales tax, division of proceeds, reinstatement of personnel; to void this proposed sales tax if state revenues become available; and to provide for and establish a date for a referendum.

Also:

H. 1059. Relating to Calhoun County; on and after the effective date of this act, subject to his or her having made a timely election, in writing, each commissioner of the Calhoun County commission shall be entitled to either have an automobile furnished by Calhoun County, and payment or reimbursement for fuel and oil, and repairs of said automobile, for use in carrying out his official duties as a commissioner, or a certain expense allowance in lieu of use of an automobile and payment or reimbursement for fuel, oil and repairs therefor.

Also:

H. 1060. Relating to Calhoun County; to provide for the salaries of certain officials and the sheriff of the county to become effective upon the expiration of the present terms of office of the incumbent officeholders, and to provide an expense allowance for certain officials which will terminate upon the expiration of their present terms of office.

Also:

H. 1061. Repealing Act No. 83-545, H. 132 of the 1983 Regular

Session (Acts 1983, p. 844) entitled "To authorize the Baldwin County Commission to provide for the protection of forests from fire, insect, disease, beavers, and other pests within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments."

Also:

H. 1062. Relating to Talladega County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county commission to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county commission in relation to the roads, bridges and ferries of Talladega County; providing for an effective date.

Also:

H. 1063. To authorize the city council of the City of Talladega, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Talladega, on all taxable property situated within the City of Talladega, the special ad valorem tax which is authorized in Amendment No. 13 to the Constitution, to a maximum rate, for any tax year of the city, which is equal to \$2.20 on each one hundred dollars (22 mills on each dollar) of assessed value.

Also:

H. 1064. To provide that the Shelby County Commission may provide office space for a Constituency Office to assist the members of the Shelby County Delegation to the Legislature in serving their constituents.

Also:

H. 1066. Relating to Crenshaw County, amending Act No. 89-486, H. 865, 1989 Regular Session, which levied a sales and use tax, so as to provide further for the distribution of the proceeds from the tax.

Also:

H. 1067. Relating to Blount County; providing that the county commission shall have the power to levy and collect additional privilege license taxes, excise taxes, gasoline taxes and sales and use taxes; providing that any such tax levied by said county commission shall become law either with or without a referendum in the sole discretion of said county commission; and providing for the disposition of the proceeds of such taxes.

Also:

H. 1069. Relating to Shelby County; providing further for the compensation of the circuit clerk of the county.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1074. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

Also:

H. 1075. To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

Also:

H. 1078. Relating to Lee County; to authorize the county commission to levy a tax on each ton or cubic yard of rock or other substance quarried in the county; to provide that the proceed shall be expended on the repair or maintenance of roads and bridges.

Also:

H. 1068. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Wilsonville, in Shelby County, to provide for a referendum election of the qualified electors who reside within the territory proposed to be brought within the municipal limits of Wilsonville.

Also:

H. 1071. Relating to Shelby County, Alabama; to provide for the creation, maintenance and regulation of public corporations for the purpose of forming units for preventing and fighting fires and providing emergency services to sustain life, health and property, and to prescribe conditions and regulations relative to the creation of such public corporations; to prescribe the organizational structure, rights and powers of such public corporations; to prescribe certain limitations on the rights and powers of such public corporations and to provide for elections on questions of formation, indebtedness and financial support of such corporations.

Also:

H. 1072. Relating to the City of Alabaster in Shelby County; authorizing an additional ad valorem tax and providing for a referendum.

Also:

H. 1073. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Calera in Shelby County.

Also:

H. 1080. Relating to Talladega County; to raise additional revenue by levying in those parts of the county outside the corporate limits of the cities located in Talladega County special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes; providing for the ascertainment, collection, payment, distribution and use of

the proceeds from such taxes, and for the enforcement of this act by the state department of revenue and penalties for violations; and further providing for liability of county commissioners for failure to follow said act.

Also:

H. 1081. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Sylacauga, in Talladega County.

Also:

H. 1084. Relating to Dallas County; providing for fire protection in certain areas of the county; levying a special fire protection property tax; providing for certain exemption from such tax and for collection of such tax; providing for disposition of funds from such tax to the county fire association and to the volunteer fire departments; providing for expenditure and accounting of such funds; providing for treatment of funds upon dissolution or abandonment of a volunteer fire department; granting immunity from certain liability to the county and providing for a referendum election on the provisions of this act.

Also:

H. 1091. Relating to Houston County; providing further for the compensation of poll workers.

Also:

H. 1092. Relating to Shelby County; repealing Act No. 1886, H. 2579, 1971 Regular Session, which provides for an assessment on forest lands for fire protection.

Also:

H. 1093. Relating to Choctaw County; repealing Act No. 83-549, H. 451, 1983 Regular Session, which provides for an assessment on forest lands for fire protection.

Also:

H. 1094. Relating to Elmore County, providing further for the compensation of the coroner.

Also:

H. 1095. Relating to county officers of Lee County who are required by law to receive revenue through their respective offices; to establish in the county general fund a special reserve fund of \$5,000.00 to be available to said officers to charge off bad or uncollectable checks, provided that all other legal remedies shall be pursued to collect such unpaid items.

Also:

H. 1098. Relating to Choctaw County; providing that the Sheriff of Choctaw County may establish a canteen for the purpose of selling supplies to prisoners and to provide for the disposition for revenue derived from such sales.

Also:

H. 1079. To authorize the Talladega County Commission acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by Talladega County on all taxable property situated within Talladega County, outside the corporate limits of the cities of Talladega and Sylacauga, the special school tax which is authorized in Amendment No. 252 to the Constitution, to a maximum rate, for any tax year of the county, which is equal to \$1.50 on each one hundred dollars (15 mills on each dollar) of assessed value.

Also:

H. 1089. Relating to the City of Opelika in Lee County, Alabama; altering and rearranging the boundary lines and corporate limits in the City of Opelika by adding certain parcels of land.

Also:

H. 1090. Relating to the City of Arab; approving an increase of the five mill ad valorem tax levied in the city pursuant to the general provisions of the Constitution and laws of the State of Alabama by nine and one-half mills to fourteen and one-half mills, all in accordance with Amendment No. 373 to the Constitution of Alabama of 1901; such additional nine and one-half mill tax to be levied and collected for each year beginning with the levy for the tax year October 1, 1991, to September 30, 1992 (the tax for which year will be due and payable October 1, 1992) and ending with the levy for the tax year October 1, 2020, to September 30, 2021 (the tax for which year will be due and

payable October 1, 2021) and to be used by the city board of education for public school purposes; provided that the aforesaid increased rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of the city at a special election called and held in accordance with the law governing special elections.

Also:

H. 319. Provides for the appointment of a private non-profit corporation by the courts to serve as guardian or conservator or both for persons who are developmentally disabled. Establishes further qualifications for such organizations to be appointed and designates the Alabama Department of Mental Health/Mental Retardation to develop guidelines for the activities of those corporations appointed as Guardian for a person with developmental disabilities.

Also:

H. 95. To amend Sections 22-21-20 and 22-21-27 of the Code of Alabama 1975, relating to licensing of hospitals, nursing homes and other health care institutions so as to include hospices; and to provide further for the composition of the advisory board and the power of certain board members.

Also:

H. 146. Relating to motor vehicles so as to provide that a transaction does not create a sale or security interest merely because the transaction provides that the rental price may be adjusted by reference to the amount realized upon sale or other disposition of the motor vehicle; to provide for severability of the provisions of this act; to provide for repeal of conflicting laws; and to provide for an effective date.

Also:

H. 458. To amend further Section 11-3-4, Code of Alabama 1975, relating to the compensation of county commissioners, so as to change the amount allowed for mileage to the amount allowed by the internal revenue code for income tax deductions.

Also:

H. 778. To amend Act No. 90-650, S. 62, 1990 Regular Session, which establishes the Economic Development Revolving Loan

Funds, so as to provide further for the compensation of the members of the committee and to provide that appropriations made pursuant to the act shall not revert into the general fund at the end of the fiscal year.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF HB 370

The Senate proceeded to further consideration of the Bill, HB 370.

And said Bill, HB 370, was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Horn, B.I.R., HB 372, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 372. To provide a statutory basis for the recovery of unclaimed property from out-of-state holders when such holders did not originate the unclaimed property and are merely intermediaries, and to clarify that the address of the unclaimed property holder is unknown, and to provide that subsection (a) shall apply to all property held at the time of enactment, or at any time thereafter, regardless of when such property became or becomes presumptively abandoned.

was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Horn, B.I.R., HB 706, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 706. To expand the purposes for which the Alabama Youth Services Board may expend certain funds appropriated in Act 90-764, section 2C.

was read a third time at length and passed.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Figures, Floyd, Hale, Langford, Lipscomb, Mitchem, Owens,
Preuitt, Sanders, Smith (B), Waggoner, and Windom -21

Nays:

- 0

REPORT FROM RULES

Senator Preuitt, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

SJR 101. SUPPORTING THE ESTABLISHMENT OF A SILVER-HAIRED LEGISLATURE.

And on motion of Senator Amari, said Resolution, SJR 101, was adopted by the Senate.

REPORTS OF COMMITTEES

Senator Preuitt, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Hooper, Clark (J), Gaston, Knight, Zoghby, Turnham, Flowers, Thomas, Parker (T), Campbell, Carter, Hammett, Haynes, Petelos, Starkey, Gaines, Carns, Sanderson, Hawkins, Perdue, Burke, Holladay, Drake, Cosby, Harper, Beasley, Mathis, Layson, Fuller, Gullatt, Box, Morrow, Clay, Poole, Curry, Morton, Hill, Mikell, Kennedy, McKee, Cagle, Hogan, Willis, Newton (C), Crow, Johnson, McMillan, Bowling, and Ford:

H. 604. To provide for the organization of a public corporation to be known as the Alabama International Airport Authority; to provide for the appointment of the members of the authority; to designate the officers and members of the board of directors; to provide that the state treasurer shall be custodian of the funds of the authority; to prescribe the

powers of the authority including the power of eminent domain, the power to assess and collect fines, the power to appoint police officers, and the power to issue bonds or notes and to use the proceeds for any of its corporate purposes; to provide that such bonds or notes may be payable from one or more specified sources; to provide for the form of such bonds; to authorize the authority to issue refunding bonds; to provide that bonds issued or contracts entered into by the authority shall not create a debt or obligation of the state or any of its subdivisions unless so provided by amendment to the state constitution; to provide for the publication of notice of any resolution by the authority for the issuance of bonds and specifying a time after such publication in which actions and defenses may be asserted against said bonds; to provide that the authority may accept and expend federal, state, county, municipal, or other moneys made available to it to accomplish its corporate purposes; to provide that no civil action shall be brought or maintained against the authority or any of its directors for the negligence of the authority, its directors, or any of its agents, servants or employees and to provide for exceptions; to provide that any political subdivision, public corporation, or instrumentality of the state may aid and cooperate with the authority; to provide that the bonds of the authority shall be legal investments for the state, all public officers, municipal corporations, political subdivisions, public corporations, public bodies, financial institutions, insurance companies and fiduciaries; to exempt the authority, its bonds, its income and its property from all state, county and municipal taxation; to exempt the authority from all laws from which airport authorities organized pursuant to article 2 of chapter 3 of Title 4, Code of Alabama 1975, are exempt; to provide the authority with zoning powers; to provide conditions on the annexation of the authority's airports, airport facilities, other facilities and properties; to provide for the sale and distribution of alcoholic beverages and the regulation and control thereof within the authority's main airport terminal and to provide to whom the airport liquor license shall be granted; to provide that authority employees shall participate in the state employees' retirement system; to provide for the disposal of lost money or property found on authority property; to provide for the regulation of parking on authority property; to provide for the dissolution of the authority; and to create a Legislative Oversight Committee.

By Rep. Carothers:

H. 911. To create "The Tractor, Farm Equipment, Lawn and Garden and Light Industrial Equipment Franchise Act" in order to provide for the fair regulation of tractor, farm equipment, lawn and garden and light industrial equipment manufacturers, distributors,

wholesalers, dealers, and their representatives; to provide for the regulation of dealings and transactions between manufacturers and distributors or wholesalers and their dealers; to prohibit unfair and deceptive trade practices; to protect the freedom to contract; to prescribe remedies for violations of the provisions of the act; and to repeal Section 8-21-1 through 8-21-14, Code of Alabama 1975.

Senator Smith (J), Chairperson of the Standing Committee on Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Butler, Freeman, Burke, Carter, Starkey, Grayson, Haney, Sanderford, and Hall:

H. 763. To amend section 31-5-3 of the Code of Alabama 1975, which established the State Board of Veterans' Affairs, so as to add to the board a representative of the Military Order of the Purple Heart.

By Rep. Carothers:

H. 807. To amend Sections 22-8A-2, 22-8A-3, 22-8A-4, 22-8A-5, 22-8A-8 and 22-8A-9, Code of Alabama 1975, so as to authorize patients to make written directions or declarations concerning the withholding or withdrawing of medical procedures, interventions or life-sustaining procedures in instances that are not necessarily limited to terminal conditions, to authorize the designation of another person to make said decision, to authorize consent by certain family members regarding treatment, to exempt certain persons from civil, criminal or professional penalties, and to authorize the recognition of declarations made in other states.

Senator Horn, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Freeman and Harper:

H. 968. Authorizing the property inventory control division of the state auditor's office to automate the property inventory control system of the state and to charge and collect from each state department or agency for its inventory services on state personal property authorized

under Section 36-16-8 of the Code of Alabama 1975; authorizing the state auditor to promulgate administrative rules and procedures for automating and for charging and collecting for such inventory services and providing that the proceeds from such charges shall be deposited in a special state property control fund in the state treasury to be used to support the property inventory control functions of the state auditor's office; creating the special fund in the state treasury to which such charges will be deposited; and making an appropriation to the auditor's office from that fund for the fiscal year ending September 30, 1991 and September 30, 1992.

By Rep. Campbell:

H. 928. To amend Sections 16-25A-5, 16-25A-6 and 16-25A-7, Code of Alabama 1975, relating to the public education employees' health insurance board, so as to provide for authorized coverage and to further clarify the procedure for awarding contracts by the public employees' health insurance board.

Senator Corbett, Chairperson of the Standing Committee on Economic Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Burke and Harvey:

H. 487. To amend Section 9-14-29, Code of Alabama 1975, as last amended, relating to the applicability of the provisions of Article 2 of Chapter 14 of Title 9 of the Code of Alabama 1975, so as to add an exemption for concession operations receiving gross receipts of \$100,000.00 or less annually.

Senator Mitchell, Chairperson of the Standing Committee on Governmental Affairs/State Administration, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Fuller:

H. 492. To amend Section 34-3-3 of the Code of Alabama 1975, relating to admission fees for applicants to the state bar, so as to provide further for such fees.

By Rep. Hogan:

H. 41. To establish certain due process rights for persons under investigation by the department of human resources for alleged child abuse and/or neglect.

Senator Ghee, Chairperson of the Standing Committee on Constitution and Elections, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. McDowell:

H. 824. To amend sections 17-6-8 and 17-6-13, Code of Alabama 1975, relating to election officers, so as to provide for poll watchers in referendum elections and to provide for an increase in compensation for returning officers, inspectors and clerks.

By Rep. McDowell:

H. 823. To amend sections 17-8-2, 17-8-25 and 17-8-29, Code of Alabama 1975, relating to ballots in elections, so as to provide further for the withdrawal of a name from a ballot; to provide further for the number of ballots to be provided at each voting place; and to provide further for the casting of ballots by electors, including assistance to the electors.

By Rep. McDowell:

H. 822. To amend section 17-16-2, Code of Alabama 1975, relating to primary elections and the definition of the term "political party," so as to define further the term "political party."

Senator Campbell, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Sanderford, Haney, Butler, and Hall (With Notice and Proof):

H. 764. Relating to Madison County; to amend Section 1 of Act No. 80-277, H. 117, 1980 Regular Session, as amended, which

provides for the distribution of TVA payments, so as to provide further for such distribution.

By Rep. Freeman (With Notice and Proof):

H. 988. Relating to Madison County; prescribing the salaries of the chairman and the members of the Madison County Commission and abolishing annual expense allowances.

By Rep. Butler (With Notice and Proof):

H. 974. Pertaining to Madison County; to amend Section 2 of Act No. 90-695, H. 789 of the 1990 Regular Session (Acts 1990, p. 1350), so as to further provide for the disbursement of court costs imposed by said act.

By Reps. Butler and Freeman (With Notice and Proof):

H. 1024. Relating to Madison County; providing for a county supplement for court reporters in the Twenty-third Judicial Circuit.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Box (With Notice and Proof):

H. 1000. Relating to Mobile County; requiring that the Board of School Commissioners shall publish a monthly financial report for the school system; requiring certain information be included in the report; providing for publication of the report; and providing further for the school budgets.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Box (With Notice and Proof) (With Amendment):

H. 895. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the

limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits to the City of Chickasaw, to describe the area so removed from the City of Mobile and so added to the City of Chickasaw and to provide for approval by affected property owners.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

SR 158. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-ninth legislative day of the 1991 Regular Session only:

Inst Id	Page
H. 211 Education Dept., approp.	45
H. 217 Youth Services Dept., approp.	46
H. 264 Health Dept., approp.	49
H. 246 Camp ASCCA, approp.	48
H. 234 East Alabama Child Development Center, approp.	47
H. 261 Sickle Cell Education Program, approp.	48
H. 227 United Cerebral Palsy of Alabama, United Cerebral Palsy Development Center for East Central Alabama, Simpson- May Cerebral Palsy Center, Cerebral Palsy Housing Foundation, approp.	46
H. 281 Education Dept., supp. approp.	49

**REGULAR SESSION
29th Day**

2867

H. 110	81
Space Science Exhibit Commission, approp.	
H. 208	82
Children's Hospital, Birmingham, approp.	
H. 247	86
Children's and Women's Hospital, approp.	
H. 224	83
League for the Advancement of Education, approp.	
H. 219	82
Central Alabama Opportunities Industrialization Center, approp.	
H. 235	83
Emergency Medical Services, approp.	
H. 237	84
Marion Military Institute, approp.	
H. 239	84
Talladega College approp.	
H. 240	85
Tuskegee University, approp.	
H. 242	85
Walker County Junior College, approp.	
H. 270	86
Lyman Ward Military Academy, approp.	
H. 271	87
Coosa Valley Medical Center School of Nursing, approp.	
H. 646	88
Commission on Physical Fitness, approp.	
H. 228	47
Special Schools, approp.	
H. 872	73
Helen Keller Eye Research Foundation, approp.	

On motion of Senator Amari, the Resolution was adopted by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 211, adopted.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Ellis, Floyd, Ghee, Hale, Horn, Langford, Lipscomb, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -21

Nays:

- 0

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to the third special and continuing order of business for today, the first of which was the Bill:

H. 211. To make an appropriation to the Department of Education for the fiscal year ending September 30, 1992.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

RESOLUTION

Senators Parsons, Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dial, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom offered the following Senate Resolution, to-wit:

**SR 159. NAMING H.B. 72, 1991 REGULAR SESSION,
"THE EARL GOODWIN ACT."**

BE IT RESOLVED BY THE SENATE OF ALABAMA, That the act which H.B. 72 of the 1991 Regular Session becomes is hereby named and shall forever be known as "The Earl Goodwin Act."

Which was adopted.

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 217, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 217. To make an appropriation to the Department of Youth Services for the fiscal year ending September 30, 1992.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 264, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 264. To make an appropriation to the Department of Public Health for the fiscal year ending September 30, 1992 for educational purposes.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 264, to-wit:

SUBSTITUTE FOR HB 264**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation to the Department of Public Health for the fiscal year ending September 30, 1992 for educational purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated to the Department of Public Health from the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1992 the sum of eight million five hundred fifty-four thousand eight hundred twenty-one dollars (8,554,821).

- (a) Health Support Services Program 2,988,517

The above appropriation shall be expended for the continuation of the programs in Public School Sanitation, immunization activities at the county level and child health.

- (b) Personal Health Services Program 4,705,519
The above appropriation shall be expended for continuation of the programs for immunization of pre-school children and students, dental health and nursing services.
- (c) Administrative Services Program 860,785
The above appropriation shall be expended for the continuation of the program on Primary Preventive Health Education.

Section 2. The above appropriation is for educational purposes which shall include but not be limited to providing for public school food sanitation, mandated immunization of pre-school children and primary preventive health education.

Section 3. The provisions of this act are severable. If any section, paragraph, sentence, clause, provision, or portion of the act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made.

Section 4. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 264, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell,

Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 246, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,
Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell,
Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 246. To make an appropriation from the Alabama Special Educational Trust Fund for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,
Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell,
Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 234, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 234. To make an appropriation from the Alabama Special Educational Trust Fund to the East Alabama Child Development Center for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 261, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 261. To make an appropriation from the Alabama Special Educational Trust Fund to the Sickie Cell Education Program for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds. In addition, to make a conditional appropriation to the Sickie Cell Education Program for the fiscal year ending September 30, 1992.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 261, to-wit:

SUBSTITUTE FOR HB 261

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation from the Alabama Special Educational Trust Fund to the Sickie Cell Education Program for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year ending September 30, 1992, there is hereby appropriated from the Alabama Special Educational Trust Fund the sum of eight hundred eighty-five thousand nine hundred forty-two dollars (\$885,942) to the Sickie Cell Education Program, as follows:

- | | |
|--|-----------|
| 1. Jefferson County Sickie Cell/Detection Committee, Inc | \$213,559 |
| 2. Sickie Cell Disease Association of Gulf Coast, Alabama | \$172,888 |
| 3. Sickie Cell Foundation of Greater Montgomery Inc | \$ 67,584 |
| 4. Southeast Alabama Sickie Cell Association | \$139,646 |
| 5. Tri-County West Central Alabama Sickie Cell Anemia Association, Inc | \$ 61,694 |
| 6. Children's Hospital of | |

Birmingham	\$ 38,970
7. Children's and Women's Hospital- Comprehensive Sickle Cell Center	\$ 33,577
8. North Alabama Sickle Cell Program	\$ 95,812
9. West Alabama Sickle Cell Program	\$ 39,712

Section 2. In addition to the above appropriation to the Sickle Cell Disease Association of Gulf Coast, Alabama there is hereby appropriated the sum of twenty-two thousand five hundred dollars (\$22,500) from the Alabama Special Educational Trust Fund for the fiscal year ending September 30, 1992 for statewide testing.

Section 3. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 4. This act shall become effective on October 1, 1991.

On motion of Senator Sanders, said substitute was laid on the table.

Senator Sanders then offered the following substitute for the Bill, HB 261, to-wit:

SUBSTITUTE FOR HB 261

A B I L L T O B E E N T I T L E D A N A C T

To make an appropriation from the Alabama Special Educational Trust Fund to the Sickle Cell Education Program for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year ending September 30, 1992, there is hereby appropriated from the Alabama Special Educational Trust Fund

the sum of eight hundred eighty-five thousand nine hundred forty-two dollars (\$885,942) to the Sickie Cell Education Program, as follows:

1. Jefferson County Sickie Cell/Detection Committee, Inc	\$213,559
2. Sickie Cell Disease Association of Gulf Coast, Alabama	\$172,888
3. Sickie Cell Foundation of Greater Montgomery, Inc.....	\$ 67,584
4. Southeast Alabama Sickie Cell Association	\$139,646
5. Tri-County West Central Alabama Sickie Cell Anemia Association, Inc.....	\$ 61,694
6. Children's Hospital of Birmingham.....	\$ 38,970
7. Children's and Women's Hospital-Comprehensive Sickie Cell Center	\$ 33,577
8. North Alabama Sickie Cell Foundation.....	\$ 95,812
The above appropriation to the North Alabama Sickie Cell Foundation shall be expended upon the approval of a budget approved by the Madison County Legislative Delegation.	
9. West Alabama Sickie Cell Program.....	\$ 39,712
10. Sickie Cell Disease Association of Gulf Coast, Alabama for Statewide Testing	\$ 22,500

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell,

Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

And said Bill, HB 261, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 227. To make an appropriation from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama, the United Cerebral Palsy Development Center for East Central Alabama, the Simpson-May Cerebral Palsy Center, the Cerebral Palsy Housing Foundation, the United Cerebral Palsy of Mobile and the United Cerebral Palsy of Huntsville for the fiscal year 1991-92, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

On motion of Senator Sanders, the Rules were suspended and further consideration of the Bill, HB 227, was postponed subject to the call of the Chair.

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 281, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,

Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 281. To appropriate the sum of \$750,000 from the Alabama Special Educational Trust Fund to the State Department of Education for the fiscal year ending September 30, 1991.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 110, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 110. To make a conditional appropriation from the Alabama

Special Educational Trust Fund to the Space Science Exhibit Commission for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

Senator Smith (B) offered the following amendment to the Bill, HB 110, to-wit:

AMENDMENT TO HB 110

Amend House Bill 110 on page 1 by striking line 18 in its entirety and inserting in lieu thereof the following:

"To make an appropriation from the Alabama"

Further amend the bill on page 1, line 25, after the word "hereby" by striking the word "conditionally"

Further amend the bill on page 1 by striking lines 30-33 in their entirety.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

And said Bill, HB 110, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,

Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 208, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,
Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell,
Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 208. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 208, to-wit:

SUBSTITUTE FOR HB 208

A B I L L T O B E E N T I T L E D A N A C T

To make an appropriation from the Alabama Special Educational Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year 1991-92, there is hereby appropriated to the Children's Hospital in Birmingham, Alabama, for the support and maintenance of said program from the Alabama Special Educational Trust Fund, the sum of six hundred seventy-three thousand nine hundred sixty dollars (\$673,960).

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 208, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 247, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 247. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Children's and Women's Hospital in Mobile, Alabama, for the fiscal year 1991-92, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 247, to-wit:

SUBSTITUTE FOR HB 247**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation from the Alabama Special Educational Trust Fund to the Children's and Women's Hospital in Mobile, Alabama, for the fiscal year 1991-92, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year 1991-92, there is hereby appropriated to the Children's and Women's Hospital in Mobile, Alabama, for the support and maintenance of said program from the Alabama Special Educational Trust Fund, the sum of four hundred forty-two thousand eight hundred eighty-eight dollars (\$442,888).

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 247, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 224, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 224. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 224, to-wit:

SUBSTITUTE FOR HB 224**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1992, the sum of one hundred ten thousand seven hundred twenty-three dollars (\$110,723), out of the funds in the Alabama Special Educational Trust Fund.

SECTION 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

SECTION 3. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 224, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 219, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 219. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Central Alabama Opportunities Industrialization Center for the fiscal year 1991-92 and to require an

operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 219, to-wit:

SUBSTITUTE FOR HB 219

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation from the Alabama Special Educational Trust Fund to the Central Alabama Opportunities Industrialization Center for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year 1991-92, there is hereby appropriated to the Central Alabama Opportunities Industrialization Center from the Alabama Special Educational Trust Fund, the sum of one hundred two thousand nine hundred twenty-five dollars (\$102,925).

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 219, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill, HB 653.

Senator Foshee, B.I.R., HB 653, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 653. To establish the Alabama Public Livestock Marketing Business Act; to establish a board to promote the marketing of livestock; and to establish charters for public livestock markets and to fix fees therefor.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,

Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Corbett requested and received permission to suspend the Rules in order to bring up the Bill, HB 700.

Senator Corbett, B.I.R., HB 700, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 700. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the AIDS Task Force of Alabama, Inc., for the fiscal year beginning October 1, 1991, for programs to help prevent the spread of AIDS; to require an operations plan and audited financial statement.

was taken up.

Senator Corbett offered the following substitute for the Bill, HB 700, to-wit:

SUBSTITUTE TO HB 700

A B I L L T O B E E N T I T L E D A N A C T

To make an appropriation from the Alabama Special Educational

Trust Fund to the AIDS Task Force of Alabama, Inc., for the fiscal year beginning October 1, 1991, for programs to help prevent the spread of AIDS; to require an operations plan and audited financial statement.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated the sum of \$250,328 from the Alabama Special Educational Trust Fund to the AIDS Task Force of Alabama, Incorporated, for the fiscal year which begins October 1, 1991, for educational programs to help prevent the spread of AIDS. Funds appropriated herein are for disbursement to the various AIDS prevention community-based organizations in Alabama according to a plan to be developed by the Board of Directors of the AIDS Task Force of Alabama, Incorporated.

Section 2. Prior to the release of any funds appropriated herein, an operations plan for fiscal year 1991-92 must be developed by the Board of Directors of the AIDS Task Force of Alabama, Incorporated, submitted to and approved by the State Health Department and the HIV Education Advisory Board and then forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following the receipt of the operations plan by the Director of Finance. The HIV Education Advisory Board shall consist of six members as follows: the state health officer or his designee; one assistant state health officer appointed by the state health officer; one physician appointed by the Infectious Disease Society of Alabama who is selected from a list of physicians who routinely treat HIV infection; two representatives appointed by the American Red Cross of which one must be a health educator; and, the Chairperson of the AIDS Task Force of Alabama community-based organization committee. An audited financial statement of the expenditures shall be submitted to the state Finance Director at the end of the fiscal year.

Section 3. This Act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,

Wilson, and Windom -25

Nays: - 0

And said Bill, HB 700, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 235, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 235. To make a conditional appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 235, to-wit:

SUBSTITUTE FOR HB 235

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1992, the sum of two million three hundred thirty-five thousand three hundred thirty-eight dollars (\$2,335,338), out of the funds in the Alabama Special Educational Trust Fund to be used for the support and maintenance of the Emergency Medical Services Programs as follows:

(a) Birmingham Regional Emergency Medical System	\$304,978
(b) East Alabama Emergency Medical Services, Inc	\$304,978
(c) North Alabama Emergency Medical Services, Inc	\$304,978
(d) Southeast Alabama Emergency Medical Services Council, Inc.....	\$304,978
(e) Southwest Alabama Emergency Medical Services System, Inc.....	\$304,978
(f) West Alabama Emergency Medical Services, Inc	\$304,978
(g) Trenholm State Technical College	\$168,490
(h) Gadsden State Community College	\$168,490
(i) Lurleen B. Wallace State Junior College	\$168,490

Section 2. The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

Section 3. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 4. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 235, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 237, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner,

Wilson, and Windom

-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 237. To make a conditional appropriation for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1992.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 237, to-wit:

SUBSTITUTE FOR HB 237

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the fiscal year ending September 30, 1992, the sum of four hundred twenty-nine thousand seven hundred ninety-nine dollars (\$429,799) from the Alabama Special Educational Trust Fund to Marion Military Institute.

SECTION 2. The Department of Examiners of Public Accounts is hereby authorized and empowered to audit the records of the said institution to the same extent, degree, and scope as its audits of public educational institutions, and said institution shall submit to the Legislature each year before any subsequent appropriation requests may be considered by the Legislature, a full accounting of its receipts, disbursements, assets, liabilities, and other resources as of the date of the close of its immediately preceding academic year.

SECTION 3. This Act shall become effective October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 237, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 239, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 239. To make a conditional appropriation for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1992.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 239, to-wit:

SUBSTITUTE FOR HB 239

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the fiscal year ending September 30, 1992, the sum of four hundred one thousand one hundred forty-seven dollars (\$401,147) from the Alabama Special Educational Trust Fund to Talladega College.

SECTION 2. The Department of Examiners of Public Accounts is hereby authorized and empowered to audit the records of the said institution to the same extent, degree, and scope as its audits of public educational institutions, and said institution shall submit to the Legislature each year before any subsequent appropriation requests may be considered by the Legislature, a full accounting of its receipts, disbursements, assets, liabilities, and other resources as of the date of the close of its immediately preceding academic year.

SECTION 3. This Act shall become effective October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 239, as amended by the substitute, was read a

third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Corbett, B.I.R., HB 240, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 240. To make a conditional appropriation for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1992.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 240, to-wit:

SUBSTITUTE FOR HB 240

A B I L L T O B E E N T I T L E D A N A C T

To make an appropriation for the support and maintenance of

Tuskegee University for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the fiscal year ending September 30, 1992, the sum of three million six hundred forty-six thousand five hundred dollars (\$3,646,500) from the Alabama Special Educational Trust Fund to Tuskegee University.

SECTION 2. The Department of Examiners of Public Accounts is hereby authorized and empowered to audit the records of the said institution to the same extent, degree, and scope as its audits of public educational institutions, and said institution shall submit to the Legislature each year before any subsequent appropriation requests may be considered by the Legislature, a full accounting of its receipts, disbursements, assets, liabilities, and other resources as of the date of the close of its immediately preceding academic year.

SECTION 3. This Act shall become effective October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

And said Bill, HB 240, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Wilson, B.I.R., HB 242, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,
Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell,
Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 242. To make a conditional appropriation for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1992.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 242, to-wit:

SUBSTITUTE FOR HB 242**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the fiscal year ending September 30, 1992, the sum of five hundred fifteen thousand seven hundred fifty-nine dollars (\$515,759) from the Alabama Special Educational Trust Fund to the Walker County Junior College.

SECTION 2. The Department of Examiners of Public Accounts is hereby authorized and empowered to audit the records of the said institution to the same extent, degree, and scope as its audits of public educational institutions, and said institution shall submit to the Legislature each year before any subsequent appropriation requests may be considered by the Legislature, a full accounting of its receipts, disbursements, assets, liabilities, and other resources as of the date of the close of its immediately preceding academic year.

SECTION 3. This Act shall become effective October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

And said Bill, HB 242, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

FURTHER CONSIDERATION OF HB 270

The Senate proceeded to further consideration of the Bill, HB 270.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 270, to-wit:

SUBSTITUTE FOR HB 270

A B I L L
T O B E E N T I T L E D
A N A C T

To make an appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the fiscal year ending September 30, 1992, the sum of two hundred thousand five hundred seventy-two dollars (\$200,572) from the Alabama Special Educational Trust Fund to the Lyman Ward Military Academy.

SECTION 2. The Department of Examiners of Public Accounts is hereby authorized and empowered to audit the records of the said institution to the same extent, degree, and scope as its audits of public educational institutions, and said institution shall submit to the Legislature each year before any subsequent appropriation requests may be considered by the Legislature, a full accounting of its receipts, disbursements, assets, liabilities, and other resources as of the date of the close of its immediately preceding academic year.

SECTION 3. This Act shall become effective October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 270, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,

Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell,
Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 271, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,
Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell,
Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 271. To make a conditional appropriation for the support and maintenance of the Coosa Valley Medical Center School of Nursing for the fiscal year ending September 30, 1992.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 271, to-wit:

SUBSTITUTE FOR HB 271

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation for the support and maintenance of the Coosa Valley Medical Center School of Nursing for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the fiscal year ending September 30, 1992, the sum of ninety-six thousand nine hundred sixty-three dollars (\$96,963) from the Alabama Special Educational Trust Fund to the Coosa Valley Medical School of Nursing.

SECTION 2. The Department of Examiners of Public Accounts is hereby authorized and empowered to audit the records of the said institution to the same extent, degree, and scope as its audits of public educational institutions, and said institution shall submit to the Legislature each year before any subsequent appropriation requests may be considered by the Legislature, a full accounting of its receipts, disbursements, assets, liabilities, and other resources as of the date of the close of its immediately preceding academic year.

SECTION 3. This Act shall become effective October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 271, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 646, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 646. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Commission on Physical Fitness for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 646, to-wit:

SUBSTITUTE FOR HB 646

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation to the Commission on Physical Fitness for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated to the Commission on Physical Fitness for the fiscal year ending September 30, 1992 the sum of three hundred sixty-eight thousand one hundred forty dollars (\$368,140) out of the funds in the Alabama Special Educational Trust Fund and there is also hereby appropriated the Commission's Federal and Local Funds. Of the above appropriation to the Commission on Physical Fitness, \$90,000 shall be expended for the Alabama Sport Festival.

Section 2. The above appropriation is made for educational purposes which shall include but shall not be limited to maintaining liaison with the State Department of Education, boards of education and private and parochial schools; advising on such programs of physical fitness; promoting physical fitness education for the mentally retarded and physically handicapped and providing for physical educational facilities.

Section 3. The Commission on Physical Fitness is hereby authorized to make a transfer to the State Personnel Department in the amount authorized in the General Appropriation Bill for fiscal year 1991.

Section 4. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 646, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 228, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 228. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 872, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuit, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 872. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Helen Keller Eye Research Foundation for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 872, to-wit:

SUBSTITUTE TO HB 872**A BILL
TO BE ENTITLED
AN ACT**

To make an appropriation from the Alabama Special Educational Trust Fund to the Helen Keller Eye Research Foundation for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the fiscal year 1991-92, there is hereby appropriated to the Helen Keller Eye Research Foundation, for the support and maintenance of said program from the Alabama Special Educational Trust Fund, the sum of three hundred twenty-seven thousand two hundred fifty dollars (\$327,250).

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 872, as amended by the substitute, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 227, adopted.

Yeas 25 Nays 0

Abstaining 1

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Horn, Langford, Lipscomb, Mitchell, Mitchem, Owens, Preuitt, Sanders, Smith (B), Waggoner, Wilson, and Windom -25

Nays:

- 0

Abstaining: Senator Smith (J)

- 1

FURTHER CONSIDERATION OF HB 227

The Senate proceeded to further consideration of the Bill, HB 227.

And said Bill, HB 227, was read a third time at length and passed.

Yeas 27 Nays 0
Abstaining 1

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, Dixon, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuit, Sanders, Smith (B), Wilson, and Windom -27

Nays: - 0

Abstaining: Senator Smith (J) - 1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 348. Proposing an amendment to the Constitution of Alabama of 1901, authorizing the tax assessors, tax collectors, revenue commissioners, license commissioners and other ad valorem tax officials in the various counties of this state to elect to participate in the state employees' retirement system or the county retirement system, if available; providing for an election between the state employees' retirement system and a county retirement system; prohibiting future officials taking office for the first time after the effective date of this amendment from participating in the supernumerary program provided by Title 40, Chapter 6, Code of Alabama 1975; and providing that such officials presently participating in the supernumerary program may continue therein.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 85. Relating to immunity from civil liability while in volunteer service without compensation for a nonprofit organization or corporation or governmental entity; to provide that any public or community service volunteer without compensation shall be immune from civil liability in any civil action on the basis of any act or omission of such volunteer resulting in damage or injury if said volunteer was acting in good faith within the scope of his official functions and such damage or injury was not caused by willful or wanton misconduct; to provide that the responsibility of an established act or omission of a volunteer shall be the responsibility of the principal organization under the doctrine of "respondeat superior."

Also:

H. 953. To provide that each public corporation which is authorized by law to operate a water system and to borrow money for use for one or more of its corporate purposes shall be specifically authorized to sell and issue bonds of such public corporations; to specify the use of proceeds of such bonds and the source of payment thereof; to make certain provisions with respect to the form, terms, denominations, tenor and maturities of such bonds, the interest thereon and the method and time of computing and paying such interest; to provide for the sale, execution and delivery of such bonds; to provide for liability on such bonds and security for the payment of principal thereof and interest thereon; and to make certain other provisions with respect to the borrowing of money and the issuance of bonds or other obligations by such public corporation.

Also:

H. 99. To amend section 22-21-5 of the Code of Alabama 1975, to grant to public bodies organized under the said section the powers of health care authorities organized under Article 11 of chapter 22 of the Code of Alabama 1975.

Also:

H. 100. To adopt and incorporate into the Code of Alabama

1975 those general and permanent laws of the state enacted during the 1989 Special Session and the 1990 Regular Session of the Legislature, as contained in the 1990 Cumulative Supplement to certain volumes of the Code and in the 1990 Replacement Volume 14 of the Code; and to make corrections in certain volumes of such cumulative supplement.

Also:

H. 153. To add a Section 34-23-75, Code of Alabama 1975, Alabama Pharmacy Practice Act, which would allow licensed pharmacists to refill a prescription for up to a 72 hour supply, when they are unable to obtain refill authorization from the prescriber.

Also:

H. 678. To provide that all full-time employees and executive officers of the Developing Alabama Youth Foundation may elect to become members of the Teachers' Retirement System of Alabama; also to provide that said Foundation and its employees shall assume all costs, both contributory and administrative; and that no costs shall devolve upon the state.

Also:

H. 1041. To authorize the city council of the City of Eufaula, Alabama, acting pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there is levied and collected by the City of Eufaula, on all taxable property situated within the City of Eufaula, the special ad valorem tax for public school purposes which is authorized in Amendment No. 56 to the constitution, to a maximum rate, for any tax year of the city, which is equal to \$1.30 on each one hundred dollars (13 mills on each dollar) of assessed value.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 401. To amend Section 2-27-9 which provides for registration of pesticides by raising the annual registration fee from \$50 up to \$100.

Also:

H. 419. To make a supplemental appropriation from the Farmers' Market Authority Fund to the Farmers' Market Authority for the sum of two hundred thirty-eight thousand five hundred and fifty dollars (\$238,550) for the fiscal year ending September 30, 1991.

Also:

H. 435. To create a new district judgeship in Marshall County.

Also:

H. 579. To authorize the several state departments and agencies to prepay to officers and employees necessary travel expenses for authorized official state business; to provide that such payments shall be made in accordance with rules and regulations promulgated by the state comptroller with the approval of the chief examiner of public accounts; to provide for certain limitations and the annual audit of the expenditure of funds used in accordance with the provisions of this Act.

Also:

H. 580. Relating to state officers and employees; to authorize the state comptroller with the approval of the chief examiner of public accounts to establish procedures for the prepayment of travel expenses.

Also:

H. 287. To address the nursing shortage affecting the Alabama Department of Public Health in rural areas by providing for loans for books, tuitions, fees, and other educationally-related expenses incurred by employees of the Alabama Department of Public Health attending

nursing school on a part-time or full-time basis; to require such loan recipients to enter into a contract committing them to work as nurses full-time for the health department or for a federally-funded community health center in a rural area or underserved area of the state for at least four years; to provide for forgiveness of such loans for recipients who serve the health department in rural or underserved areas; to provide civil penalties for loan recipients who fail to honor the contract; to provide for full-time or part-time employment for such recipients while attending school.

Also:

H. 324. To amend Section 36-26-36.1 of the Code of Alabama 1975, relating to sick leave for state employees and teachers so as to provide further for the accumulation and use of such sick leave in determining years of creditable service in the employees' or teachers' retirement system of Alabama.

Also:

H. 582. Relating to the licensing and bonding of dealers in agricultural products; to define dealers, products, commissioner, producers, and persons; to exempt certain persons from the provisions of this bill; to require that a dealer in agricultural products be licensed and said license shall cost from \$50 to \$200; to require that dealers be bonded or have a bond equivalent in amounts of not less than \$1,000 to \$50,000; to provide for denying, suspending or revoking a dealer license; to provide for hearing after there has been a denial, suspension or revocation of a license and to also provide for appealing orders rendered pursuant to a hearing; to provide for payment of agricultural products purchased within five days after an accounting or a receipt has been issued; to provide for the keeping of records and for inspection of sale and the inspection of produce purchased; to make the violation of this bill a class "C" misdemeanor and granting the Commissioner the powers of a peace officer in the enforcement of said bill; to provide for injunctive relief; to expressly repeal Chapter 29 of Title 2 providing for the permitting and bonding of farm product commission merchants.

Also:

H. 510. To amend Section 2-6A-1 by changing commission to department of agriculture and industries; to repeal Sections 2-6A-2, 2-6A-3, 2-6A-4, 2-6A-5 and 2-6A-6 which set up a farm crisis and transition commission and its operation; to set up a farm crisis and transition program under the department of agriculture and industries

and to give the commissioner of agriculture and industries the power to employ staff and to conduct the program; to allow the adoption of regulations; to provide for the transfer of all personnel, equipment and files from the farm crisis and transition commission into the department of agriculture and industries; to allow the commissioner of agriculture and industries to accept contributions from any public or private source.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 593. To amend sections 30-3-61 and 30-3-62, Code of Alabama 1975, relating to child support withholding orders, so as to require the employer to remit to the clerk of the court, the department, or its designee the child support withheld within 10 days of the date the obligor is paid; to provide that payments withheld shall be paid over by the employer in accordance with section 30-3-61(b), Code of Alabama 1975; to specify the requirements for termination of withholding orders; and to require prompt termination of withholding when criteria are met; to amend section 30-3-94, Code of Alabama 1975, relating to the Interstate Income Withholding Act, so as to provide for immediate wage withholding on interstate child support cases.

Also:

H. 870. To appropriate from the agricultural fund for the fiscal year ending September 30, 1991 the sum of \$250,000 for use by the Department of Agriculture and Industries.

Also:

H. 29. To provide a means whereby any insurer organized under the laws of any other state may become a domestic insurer; to provide a means for any domestic insurer to transfer its domicile to another state; and to provide a means for the continuation of a certificate of authority and other approvals pertaining to any foreign insurer which transfers its corporate domicile to another state by merger or consolidation or any other lawful method.

Also:

H. 359. To repeal Sections 16-9-5, 16-9-6 and 16-9-7 of the Code of Alabama 1975, relating to the nomination by political parties, primary election to nominate and instructions on the ballot of county superintendents of education.

Also:

H. 412. To further provide for payroll deductions for public officers and employees, so as to establish an annual Alabama state employees combined charitable campaign; to repeal Section 36-1-4.1, Code of Alabama 1975, as amended, relating to local United Way agencies and certain other health charities and payroll deductions.

Also:

H. 694. To create a "pilot project" for the Secretary of State to establish specifications for a uniform system of electronic voting and for the electronic transfer of election totals from counties to the Secretary of State's office.

Also:

H. 959. To authorize the governing body of a municipality to exempt the homesteads of residents over 65 years of age, or who are retired due to permanent and total disability, or who are blind, in whole or in part from any ad valorem property tax increase imposed for public school purposes.

Also:

H. 109. To amend Sections 36-7-20 and 36-7-22 of the Code of Alabama 1975 so as to provide for the per diem allowance and mileage allowance for persons traveling on state business.

Also:

H. 136. To authorize and provide the procedure for certain full-time employees of Soil and Water Conservation Districts throughout Alabama to be covered under the state employees' health insurance plan; to provide for the payment of the premiums for employees and their dependents; to provide for the termination of coverage under this act; and to require the state employees' insurance board to promulgate rules and regulations as may be required for the effective administration of the provisions of this act.

Also:

H. 380. To amend Section 2(C)(111) of Act 90-764 of the 1990 Regular Session so as to provide for the retention of inspection and supervision fees to meet the financial responsibilities of the Public Service Commission.

Also:

H. 572. To provide that all procedures, protections and remedies afforded to a motor vehicle dealer shall also be available to a motor vehicle distributor whose distributor agreement is terminated, canceled, not renewed, modified or replaced by a manufacturer or an importer.

Also:

H. 295. To amend Section 36-21-8, Code of Alabama 1975, relating to certain law enforcement officers retaining their badge and pistol as part of retirement benefits, to include certain law enforcement officers who are employees of the state forestry commission.

Also:

H. 488. To amend Sections 36-21-60, 36-21-61 and 36-21-63, Code of Alabama 1975, as amended, relating to the Peace Officers' Annuity and Benefit Fund, so as to provide for additional members to the board and to further provide for a quorum.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after

the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

BUDGET ISOLATION RESOLUTION

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, HB 794.

Senator Windom, B.I.R., HB 794, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 794. To further provide for and regulate commercial fishing in Alabama; to amend Sections 9-11-141 and 9-11-142, Code of Alabama 1975, so as to provide for an exception (to the otherwise applicable licensing requirements of said sections) for certain assistants; and to amend Section 9-11-143, Code of Alabama 1975, so as to provide for an increase in certain license and issuance fees, relating to use of certain commercial fishing equipment.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Wilson requested and received permission to suspend the Rules in order to bring up the Bill, HB 84.

Senator Wilson, B.I.R., HB 84, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 84. To amend Sections 32-6-270 and 32-6-272 of the Code of Alabama 1975, so as to further define the term "Fire Fighter" and to provide further for their distinctive motor vehicle license plates.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Waggoner, B.I.R., HB 748, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem,

Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 748. To prohibit the Library Enhancement Fund in the education appropriations from receiving less than 70 percent of its appropriation in any fiscal year in which proration is declared.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,
Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem,
Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BILL RECONSIDERED

On motion of Senator Horn, the Senate reconsidered the vote by which the Bill, HB 270, was passed.

On motion of Senator Horn, the Senate reconsidered the vote by which the Bill, HB 270, was ordered to its third reading.

On motion of Senator Horn, the Senate reconsidered the vote by which the Finance and Taxation substitute was adopted.

BUDGET ISOLATION RESOLUTION

Senator Horn, B.I.R., HB 270, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,
Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem,

Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner,
Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 270. To make a conditional appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1992.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill HB 270, to-wit:

SUBSTITUTE FOR HB 270

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make an appropriation for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the fiscal year ending September 30, 1992, the sum of two hundred thousand five hundred seventy-two dollars (\$200,572) from the Alabama Special Educational Trust Fund to the Lyman Ward Military Academy.

SECTION 2. The Department of Examiners of Public Accounts is hereby authorized and empowered to audit the records of the said institution to the same extent, degree, and scope as its audits of public educational institutions, and said institution shall submit to the Legislature each year before any subsequent appropriation requests may be considered by the Legislature, a full accounting of its receipts, disbursements, assets, liabilities, and other resources as of the date of the close of its immediately preceding academic year.

SECTION 3. This Act shall become effective October 1, 1991.

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

And said Bill, HB 270, as amended by the substitute, was again read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Smith (B), B.I.R., HB 79, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 79. To amend Section 11-43-80, Code of Alabama 1975,

which authorizes a municipal governing body to employ the mayor as superintendent of the municipal utility system, so as to authorize said municipal governing body to establish the mayor's compensation for serving in such position.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Sanders, B.I.R., HB 352, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 352. To amend Section 17-8-25, Code of Alabama 1975, relating to the number of ballots to be provided for each voting place, so as to decrease the required number.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,

Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Owens, B.I.R., HB 197, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 197. To amend Section 34-32-9, Code of Alabama 1975, relating to the qualifications for registration as professional soil classifiers, so as to provide further for such qualifications.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Bolling, B.I.R., HB 672, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 672. To amend §2-25-1, Code of Alabama (1975), which defines plants, plant pests, diseases and other definitions used in Chapter 25 to redefine plant pests and noxious weeds, dealers, plants, commissioner and board; to amend §2-25-2 by substituting plant pests and noxious weeds instead of insect pests and diseases in defining the purpose of Chapter 25; to amend §2-25-3 by substituting plant pests and noxious weeds for insect pests and diseases and adding plant pests and other articles capable of harboring plant pests or noxious weeds, and also allowing the commissioner to enter into cooperative agreements with other agencies, which said section defines the duty of the commissioner in protecting the agricultural interests of the state; to amend §2-25-4, which sets out the duties of the board by substituting plant pests and noxious weeds for insect pests and diseases and deleting its authority to enter into cooperative agreements; to amend §2-25-6, which sets up fees for obtaining inspection certificates for nurserymen and nurseries by allowing the state board of agriculture and industries to set fees; to repeal §2-25-7 in its entirety; to amend §2-25-8, which provides for revocation of inspection certificates; to amend §2-25-9, which provides for tagging of nursery stock by deleting those provisions that provide for recognizing out of state tags; to amend §2-25-10 by adding plant pests and noxious weeds to articles prohibited from being introduced into the state; to amend §2-25-13 by adding that plant products entering the state in violation of this law are contraband; to amend §2-25-14 by deleting the word agent; to amend §2-25-15 by substituting the words plant pests and noxious weeds for the words plant disease and insects; to amend §2-25-16, which prohibits improper destruction of infected plant cuttings, to add the words plant pests and noxious weeds; to repeal §2-25-17 in its entirety; to provide procedures to be used when nursery stock is found to contain plant pests and noxious weeds; to amend §2-25-18, which sets up appeal procedures to be used from an order of the commissioner, to

set up requirements for written notice of appeal within 10 days; to repeal §2-25-19 in its entirety; to make unlawful the sale of nursery stock that is not viable and to define viability in nursery stock; to set up procedures for fumigation or treatment of infested plants; to amend §2-25-22, which provides penalties for violation of this Chapter by defining misdemeanor and conferring upon the commissioner the powers of a sheriff in enforcing these laws; to provide for issuance of injunctions for violations; to provide that principals are responsible for their agents' acts; to allow the commissioner to call into consultation specialists at Auburn University; to provide that persons shipping plants shall notify the commissioner if there is a violation.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Lindsey, B.I.R., HB 64, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 64. To amend Section 9-17-33 of the Code of Alabama 1975, as amended, relating to the disposition of proceeds or royalties from the sale of oil or gas production, penalties for violations and judicial jurisdiction, so as to further provide therefor and for payment infor-

mation requirements to interest owners; to provide for definitions for the section and exceptions; and to provide an effective date.

was taken up.

The Standing Committee on Energy and Natural Resources reported the following amendment to the Bill, HB 64, to-wit:

AMENDMENT TO HB 64

Amend the substitute to HB 64 on page 4 subsection (c) line 4 by deleting the words "of 8 percent per annum" and substituting therefor the words "on a per annum basis equal to the Federal Reserve Discount Rate in effect as of the first day of each month during which interest on such proceeds is payable."

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

And said Bill, HB 64, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Lindsey, B.I.R., HB 392, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

FURTHER CONSIDERATION OF HB 392

The Senate proceeded to further consideration of the Bill:

H. 392. To permit a domestic limited partnership to merge with one or more domestic limited partnerships, corporations or certain other business entities; to provide for the requirements, effects and procedures of merging said entities; to provide for certain filings and reports and the contents and effect of said filings and reports; to provide for service of process; and to provide for the vesting of certain rights, privileges, powers, property, liabilities and duties.

having been postponed on the Twenty-Eighth Legislative Day, was taken up.

And said Bill, HB 392, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom

-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Mitchell, B.I.R., HB 752, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton,

Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 752. To amend section 22-30B-2, Code of Alabama 1975, relating to fees paid by operators of commercial sites for the disposal of hazardous wastes or substances; so as to extend the time period in which exempted businesses may petition the department of revenue to qualify for such exempted status; to provide that the provisions of this amendatory act shall be retroactively effective to July 15, 1990; and to provide certain taxpayer relief concerning such exemption.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Mitchem, B.I.R., HB 356, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom -25

Nays: - 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 356. To provide for participation of employees of regional and local legislative delegation offices in the state employees' retirement system.

was read a third time at length and passed.

Yeas 22 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Corbett, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Sanders, Smith (B), Smith (J), Waggoner, and Windom -22

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bolling, B.I.R., HB 180, adopted.

Yeas 22 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Corbett, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Sanders, Smith (B), Smith (J), Waggoner, and Windom -22

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 180. Relating to persons who are required to register with the U. S. Selective Service System, so as to provide that such persons may not enroll in institutions of higher learning nor be offered employment or advancement or promotion by the State of Alabama unless such persons offer proof that they have so registered, and to authorize the State Personnel Board and the institutions of higher learning to promulgate necessary rules and regulations.

was read a third time at length and passed.

Yeas 19 Nays 1

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis,
Floyd, Ghee, Hale, Lipscomb, Mitchell, Parsons, Sanders, Smith (B),
Smith (J), Waggoner, and Windom -19

Nay: Senator Corbett

- 1

BUDGET ISOLATION RESOLUTION

Senator Langford, B.I.R., HB 584, adopted.

Yeas 19 Nays 1

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Denton, Dixon, Ellis,
Floyd, Ghee, Hale, Lipscomb, Mitchell, Parsons, Sanders, Smith (B),
Smith (J), Waggoner, and Windom -19

Nay: Senator Corbett

- 1

BILLS ON THIRD READING RESUMED

THE BILL:

H. 584. To amend section 37-2-41, section 37-4-23 and section 37-4-116 of the Code of Alabama 1975, relating to the inspection and supervision fees paid by transportation, utility, and radio utility companies, so as to provide further for such fees; and to provide for the future compensation of certain employees.

was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis,
Floyd, Ghee, Hale, Langford, Mitchell, Parsons, Sanders, Smith (B),
Waggoner, and Windom -18

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Hale, B.I.R., HB 469, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis,
Floyd, Ghee, Hale, Langford, Mitchell, Parsons, Sanders, Smith (B),
Waggoner, and Windom -18

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 469. Providing that certain members of the retirement systems of Alabama may purchase credit for certain previous service, not to exceed eight years service, rendered to a county as a county solicitor and prescribing certain conditions for purchasing such credit.

was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis,
Ghee, Hale, Langford, Lipscomb, Parsons, Sanders, Smith (B),
Smith (J), Waggoner, and Windom -18

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Ghee, B.I.R., HB 155, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis,
Ghee, Hale, Langford, Lipscomb, Parsons, Sanders, Smith (B),
Smith (J), Waggoner, and Windom -18

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 155. To require that the State Board of Pharmacy establish and periodically update a published list of precursor chemicals which are essential to the manufacture of unlawful controlled substances; to establish an interim list of such chemicals; to enact registration, reporting, and record-keeping requirements for individuals who manufacture, buy, sell, transfer, transport, receive, possess, or otherwise furnish such listed precursor chemicals, under the direction and supervision of the Board of Pharmacy; to make unlawful the possession of listed precursor chemicals with knowledge or intent that the same will be used in the unlawful manufacture of controlled substances; to empower the Board of Pharmacy to adopt reasonable rules and regulations to effect the purposes of the act, and to charge reasonable fees for the registration of listed precursor chemical transactions; and to provide penalties for violation of the act.

was read a third time at length and passed.

Yeas 21 Nays 0
Abstaining 1

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lipscomb, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Smith (J), Waggoner, and Wilson -21

Nays: - 0

Abstaining: Senator Sanders - 1

BUDGET ISOLATION RESOLUTION

Senator Floyd, B.I.R., HB 35, adopted.

Yeas 21 Nays 0
Abstaining 1

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lipscomb, Mitchell, Mitchem, Owens, Preuitt, Smith (B), Smith (J), Waggoner, and Wilson -21

Nays: - 0

Abstaining: Senator Sanders - 1

BILLS ON THIRD READING RESUMED

THE BILL:

H. 35. To amend Section 13A-12-231, Code of Alabama 1975, which provides for the offense of trafficking in illegal drugs, so as to include amphetamine and methamphetamine within the offense.

was read a third time at length and passed.

Yeas 20 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lipscomb, Owens, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Denton, B.I.R., HB 314, adopted.

Yeas 20 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Hale, Langford, Lipscomb, Owens, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 314. To amend Section 11-45-2, Code of Alabama 1975, so as to provide that in all towns and in cities of less than 12,000 population, no ordinance or resolution, intended to be of permanent operation shall be valid unless, on its final passage, a majority of the

members elected to the council, including the mayor, shall vote in its favor.

was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis,
Ghee, Hale, Lipscomb, Mitchem, Owens, Sanders, Smith (B),
Waggoner, Wilson, and Windom -18

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Ellis, B.I.R., HB 141, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis,
Ghee, Hale, Lipscomb, Mitchem, Owens, Sanders, Smith (B),
Waggoner, Wilson, and Windom -18

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 141. To amend Section 12-15-61, Code of Alabama 1975, relating to certain facilities used for detention and shelter care of children, so as to provide further for such detention and shelter care and to provide for subsidy by the state of certain costs thereof, effective October 1, 1991.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Ellis, Foshee,
Ghee, Hale, Lindsey, Lipscomb, Mitchem, Owens, Parsons, Smith (B),
Smith (J), Waggoner, and Windom -19

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Foshee, B.I.R., HB 787, adopted.

Yeas 19 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Ellis, Foshee, Ghee, Hale, Lindsey, Lipscomb, Mitchem, Owens, Parsons, Smith (B), Smith (J), Waggoner, and Windom -19

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 787. To amend Section 7-9-403, Code of Alabama 1975, which relates to the filing of financing statements, so as to provide further for such filing.

was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Foshee, Ghee, Langford, Mitchell, Owens, Preuitt, Smith (B), Smith (J), Waggoner, and Windom -18

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Preuitt, B.I.R., HB 505, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Foshee, Ghee, Langford, Mitchell, Owens, Preuitt, Smith (B), Smith (J), Waggoner, and Windom -18

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 505. To amend Section 9-11-244, Code of Alabama 1975, relating to the taking of certain protected birds or animals by bait, so as to provide for an exception for certain hunting of migratory birds.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Hale, Langford, Mitchell, Owens, Preuit, Smith (B), Smith (J), Waggoner, and Windom -19

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Corbett, B.I.R., HB 440, adopted.

Yeas 19 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Ellis, Floyd, Ghee, Hale, Langford, Mitchell, Owens, Preuit, Smith (B), Smith (J), Waggoner, and Windom -19

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 440. To appropriate the sum of \$500,000 from the State General Fund to the State Highway Department for the operations and maintenance of the Gulf Breeze Amtrak Passenger Train Service for the fiscal year ending September 30, 1991.

was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Langford, Mitchell, Owens, Preuitt, Smith (B),
Smith (J), Waggoner, and Windom -19

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Dixon, B.I.R., HB 88, adopted.

Yeas 19 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Langford, Mitchell, Owens, Preuitt, Smith (B),
Smith (J), Waggoner, and Windom -19

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 88. To create the Catastrophic Trust Fund for Special Education to be administered by the State Department of Education for the purpose of assisting local education agencies in providing special education and related services to children with disabilities in catastrophic cases, and to further provide that unencumbered portions of the funds remain in the Catastrophic Trust Fund for Special Education for future use in such cases.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, HB 88, to-wit:

AMENDMENT TO HB 88

Amend House Bill 88, on Page 2, by deleting lines 24 through 26 in their entirety and inserting in lieu thereof the following:

"Act and funds obtained through donations, bequests, and other forms of financial assistance shall be used to fund services".

On motion of Senator Dixon, said amendment was laid on the table.

And said Bill, HB 88, was read a third time at length and passed.

Yeas 19 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Ghee, Hale, Langford, Lindsey, Mitchell, Owens, Preuitt, Smith (B), Smith (J), and Waggoner
-19

Nays:

- 0

REPORT OF COMMITTEE OF CONFERENCE ON SB 3

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Senate Bill 3 have met, considered the bill and have agreed to the following report:

We recommend that the bill be amended as follows and then passed by both houses:

In Section 1, line 24, delete "\$27,600.00" and insert in lieu thereof the following:

\$19,000.00

Also in Section 1, beginning on line 26, delete the following:

"relinquish the use of a county vehicle, equipped with telephone, which has been provided for by his holding the office as chairman of the Shelby County Commission, and also"

Respectfully submitted,

MICHAEL E. HILL,
AL KNIGHT,
STEVE MCMILLAN,

Conferees on the part of the House.

FRANK ELLIS, JR.,
B. DON HALE,
LARRY DIXON,

Conferees on the part of the Senate.

CONFERENCE REPORT

On motion of Senator Ellis, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 3 Relating to Shelby County; to provide an additional county salary to the probate judge for the remainder of the current term of office, which ends in January 1995, for loss of compensation as a result of being relieved of his duties as chairman of the Shelby County commission by a United States federal court order and relinquish use of automobile and expense account now receiving.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Ellis, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, Smith (B), Smith (J), Waggoner, Wilson, and Windom
-25

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Campbell, B.I.R., HB 531, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), and Waggoner
-18

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 531. To authorize the Secretary of State to employ an additional employee.

was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), and Waggoner
-18

Nays: - 0

BUDGET ISOLATION RESOLUTION

Senator Bolling, B.I.R., HB 296, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon, Ellis, Floyd, Ghee, Hale, Mitchell, Preuitt, Sanders, Smith (B), Smith (J), and Waggoner
-18

Nays: - 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 296. Requiring any insurance company, health maintenance organization, employer or other organization that provides a pharmaceutical program to their employers or members, to obtain written proof that the provider pharmacies are registered with the Alabama state board of pharmacy and prescribing penalties for violation.

was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Hale, Mitchell, Preuitt, Sanders, Smith (B),
Smith (J), and Waggoner -18

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bedsole, B.I.R., HB 497, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Hale, Mitchell, Preuitt, Sanders, Smith (B),
Smith (J), and Waggoner -18

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 497. To authorize the Alabama Medicaid Agency to make financing available for addressing liability insurance costs for family practitioners, pediatricians and obstetricians who provide obstetrical services in rural or underserved areas; and authorize the Alabama Medicaid Agency to annually adjust such financing to allow for annual premium increases; and for other purposes.

was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Hale, Mitchell, Preuitt, Sanders, Smith (B),
Smith (J), and Waggoner -18

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Corbett, B.I.R., HB 785, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Hale, Mitchell, Preuitt, Sanders, Smith (B),
Smith (J), and Waggoner -18

Nays:

- 0

BILLS ON THIRD READING RESUMED

THE BILL:

H. 785. To provide for the reopening of the employees' retirement system for certain active members who had employment with the Alabama Legislature prior to 1979.

was taken up.

The Standing Committee on Health reported the following amendment to the Bill, HB 785, to-wit:

AMENDMENT TO HB 785

On page 1, on line 33, after the period, insert the following language:

Provided, further, any active and contributing member who has previously purchased credit for said service rendered prior to 1979 is prohibited from purchasing such credit for the same service.

Which was adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Hale, Mitchell, Preuitt, Sanders, Smith (B),
Smith (J), and Waggoner -18

Nays:

- 0

And said Bill, HB 785, as thus amended, was read a third time at length and passed.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Hale, Mitchell, Preuit, Sanders, Smith (B),
Smith (J), and Waggoner -18

Nays:

- 0

BUDGET ISOLATION RESOLUTION

Senator Bailey, B.I.R., HB 357, adopted.

Yeas 18 Nays 0

Yeas:

Senators:

Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Denton, Dixon,
Ellis, Floyd, Ghee, Hale, Mitchell, Preuit, Sanders, Smith (B),
Smith (J), and Waggoner -18

Nays:

- 0

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 357. To amend Section 11-88-5 of the Code of Alabama 1975, as amended, relating to the authorization and procedure for amendment of the certificate of incorporation of water, sewer and fire protection authorities with a service area that lies solely within one determining county so as to permit changes in the number of directors of such authorities to any odd number thereof that the board shall deem appropriate, and to provide that the total number of directors of any such authority shall be not less than three or more than five; to validate the membership of the boards of directors of all such authorities as are presently in existence; and to provide an effective date.

was read a third time at length and passed.

Yeas 19 Nays 1

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Ellis,

Floyd, Ghee, Lipscomb, Mitchell, Owens, Parsons, Preuit, Smith (B),
Smith (J), Waggoner, and Windom -19

Nay: Senator Sanders - 1

BUDGET ISOLATION RESOLUTION

Senator Amari, B.I.R., HB 128, adopted.

Yeas 19 Nays 1

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Ellis,
Floyd, Ghee, Lipscomb, Mitchell, Owens, Parsons, Preuit, Smith (B),
Smith (J), Waggoner, and Windom -19

Nay: Senator Sanders - 1

BILLS ON THIRD READING RESUMED

THE BILL:

H. 128. To require persons engaged in the business of purchasing and receiving or collecting waste grease and animal by-products for rendering or recycling from businesses located in various cities of the state to pay a license tax in each such city; and to provide the rate of such license tax.

was read a third time at length and passed.

Yeas 19 Nays 1

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, Ellis,
Floyd, Ghee, Lipscomb, Mitchell, Owens, Parsons, Preuit, Smith (B),
Smith (J), Waggoner, and Windom -19

Nay: Senator Sanders - 1

BUDGET ISOLATION RESOLUTION

Senator deGraffenried, B.I.R., HB 437, adopted.

Yeas 20 Nays 1

Yeas:

Senators:

Amari, Bedsole, Bennett, Bolling, Corbett, deGraffenried, Ellis, Floyd, Ghee, Langford, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nay: Senator Sanders

- 1

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 437. To require all persons 16 years of age or older to present certification of completion of an approved hunter education course prior to obtaining a hunting license and provides penalties for violations.

was read a third time at length and passed.

Yeas 20 Nays 1

Yeas:

Senators:

Amari, Bedsole, Bennett, Bolling, Corbett, deGraffenried, Ellis, Floyd, Ghee, Langford, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nay: Senator Sanders

- 1

BUDGET ISOLATION RESOLUTION

Senator Bennett, B.I.R., HB 537, adopted.

Yeas 20 Nays 1

Yeas:

Senators:

Amari, Bedsole, Bennett, Bolling, Corbett, deGraffenried, Ellis, Floyd, Ghee, Langford, Lipscomb, Mitchell, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nay: Senator Sanders

- 1

BILLS ON THIRD READING RESUMED**THE BILL:**

H. 537. To amend Sections 36-30-1 and 36-30-20 of the Code

of Alabama 1975, so as to broaden the definition of "Peace Officer"; to make the provisions hereof retroactive to January 1, 1990.

was taken up.

Senator Bennett offered the following substitute for the Bill, HB 537, to-wit:

SUBSTITUTE FOR HB 537

**A B I L L
T O B E E N T I T L E D
A N A C T**

To amend section 36-30-1 of the Code of Alabama 1975, relating to compensation for the death of peace officers and firemen so as to provide further for the definition of peace officer so as to include the alcoholic beverage control board enforcement division agents, revenue agents and persons who are required by law to comply with the provisions of the peace officers minimum standards within the definition; to provide for severability and to provide for retroactive effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-30-1 of the Code of Alabama 1975, is hereby amended to read as follows:

"§36-30-1.

"(a) For the purposes of this chapter, the following words and phrases shall have the following meanings, respectively, unless the context shall clearly indicate a different meaning in the connection used:

"(1) AWARDING AUTHORITY. The state board of adjustment, created and existing pursuant to article 4, chapter 9 of Title 41.

"(2) DEPENDENT CHILD. An unmarried child under the age of 18 years, or one over that age who is physically or mentally incapacitated from earning.

"(3) FIREMAN or FIREMEN. A member or members of a paid, part-paid or volunteer fire department of a city, town, county or other subdivision of the state or of a public corporation organized for the purpose of providing water, water systems, fire protection services or fire

protection facilities in the state; and such words shall include the chief, assistant chief, wardens, engineers, captains, firemen and all other officers and employees of such departments who actually engage in fire fighting or in rendering first aid in case of drownings or asphyxiation at the scene of action.

"(4) PEACE OFFICER. All sheriffs, deputy sheriffs, constables, municipal police officers, municipal policemen, state and town marshals, members of the highway patrol, state troopers, alcoholic beverage control board enforcement division agents, revenue agents and persons who are required by law to comply with the provisions of the peace officers minimum standards, employees of the board of corrections, highway camp guards, law enforcement officers of the department of conservation and natural resources, all law enforcement officers of the Alabama forestry commission, livestock theft investigators of the department of agriculture and industries, capitol security guards, narcotic agents and inspectors of the state board of health and any other state, county or municipal officer engaged in quelling a riot, rout or civil disturbance and university police officers.

"(b) For the purposes of this chapter the following described persons shall be conclusively presumed to be wholly dependent:

"(1) Wife, unless it be shown that she was voluntarily living apart from her husband at the time of his death, or unless it be shown that the husband was not in any way contributing to her support and had not in any way contributed to her support for more than 12 months next preceding the occurrence of the injury causing his death.

"(2) Minor children under the age of 18 years and those over 18 if physically and mentally incapacitated from earning.

"(3) Wife, child, husband, mother, father, grandmother, grandfather, sister, brother, mother-in-law and father-in-law who were wholly supported by the deceased peace officer or fireman at the time of his death and for a reasonable period of time prior thereto shall be considered his dependents and payment of compensation may be made to them as hereinafter authorized.

"(c) Any member of the class named in subdivision (3) of subsection (b) of this section who regularly derived part of his support from the earnings of the deceased peace officer or the deceased fireman, as the case may be, at the time of his death and for a reasonable time immediately prior thereto shall be considered his partial dependent and

payment of compensation may be made to such partial dependent as hereinafter authorized."

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become retroactive to January 1, 1990, immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20 Nays 1

Yeas:

Senators:

Amari, Bedsole, Bennett, Bolling, Corbett, deGraffenried, Ellis, Floyd, Ghee, Langford, Lipscomb, Mitchell, Owens, Parsons, Preuit, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nay: Senator Sanders - 1

And said Bill, HB 537, as amended by the substitute, was read a third time at length and passed.

Yeas 20 Nays 1

Yeas:

Senators:

Amari, Bedsole, Bennett, Bolling, Corbett, deGraffenried, Ellis, Floyd, Ghee, Langford, Lipscomb, Mitchell, Owens, Parsons, Preuit, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nay: Senator Sanders - 1

REPORT FROM CONFIRMATIONS

Senator Foshee, Chairperson of the Standing Committee on Confirmations, reported that said Committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Ms. Judith C. O'Connor to the State Pardons and Paroles Board

On motion of Senator Ellis, the appointment of Ms. O'Connor was confirmed by the Senate.

Yeas 21 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Ellis, Floyd, Foshee, Ghee, Lipscomb, Mitchell, Owens, Parsons, Sanders, Smith (J), Waggoner, Wilson, and Windom -21

Nays:

- 0

RECESSES

At 6:22 P.M., on motion Senator deGraffenried, the Senate took a recess until 8:30 P.M.

At 8:30 P.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

At 8:30 P.M., on motion of Senator deGraffenried, the Senate took a recess until 9:30 P.M.

At 9:30 P.M., the recess period having expired, the Senate was called to order by Lieutenant Governor Folsom. A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 571. To amend Section 1 of Act No. 81-582, 1981 Regular Session, (Acts 1981, p. 969), which fixes the fee for issuance of a pistol permit in DeKalb County, so as to provide further for such fee.

Also:

S. 572. Relating to DeKalb County; authorizing certain county officials to use mechanical or facsimile devices for signatures on warrants or checks drawn on the county treasury or depository.

Also:

S. 647. To alter, rearrange and extend the boundary lines and corporate limits of the town of Mosses in Lowndes County.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 667. Relating to Shelby County, amending Section 1 of Act No. 191, H. 525, 1971 Regular Session, which provides a special expense allowance of \$2,400.00 per annum for the presiding circuit judge of the Eighteenth Judicial Circuit above that of the other Circuit Judges, said allowance also being outside the current \$15,000.00 expense allowance for each Circuit Judge, so as to provide that such \$2,400.00 may be received by the presiding judge's confidential employee at his designation.

Also:

S. 672. Relating to the City of Opp in Covington County; authorizing an additional ad valorem tax to be used for the general educational purposes and providing for a referendum.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 568. Providing for the maintenance of a public law library in DeKalb County through imposition of a certain library fee attached to certain court costs; providing for the management of such library; and providing for disposition of funds from such fees.

Also:

S. 569. To amend Section 7 of Act No. 444, H. 986 of the 1961 Regular Session (Acts 1961, p. 482), which provided further for the DeKalb County Commission, so as to provide further for meetings of such commission.

Also:

S. 570. To repeal Act No. 144, H. 557 of the 1973 Regular Session (Acts 1973, p. 174), entitled "An Act Relating to DeKalb County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws."

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 626. Relating to Mobile County; to provide the county treasurer an annual county salary of \$35,500.00, effective upon the expiration of the current term of office which, when effective, shall constitute the total compensation payable by the county to said official, in lieu of any other local salary, expense allowance, per diem or other compensation previously provided by law to said official.

Also:

S. 666. Relating to the Eighteenth Judicial Circuit of Alabama; to amend Act No. 79-523, H. 426, 1979 Regular Session, so as to provide an increase in expense allowance for each official reporter within the said judicial circuit.

Also:

S. 668. Relating to Bibb County; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing those procedures to be used in connection with elections in which these systems are used, including additional

procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 560. Relating to Marion County; to amend Section 4 of Act No. 80-128, 1980 Regular Session, so as to provide further for the disposition of the proceeds from the sale of county property.

Also:

S. 607. Relating to Chilton County; to provide that the probate judge shall provide for an additional method of ordering annual certificates of registration of boats by mail; to provide that the probate judge shall charge an additional fee to the boat owner for each such certificate issued by mail, and to provide for the disposition of such fees.

Also:

S. 664. Relating to Bibb County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Bibb County; prohibiting the performance of certain work on private property and providing civil fines for violations; and providing for this bill to become effective on October 1, 1991.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same

herewith to the Senate:

S. 502. Relating to Montgomery County; providing further for the compensation of the tax assessor and tax collector.

Also:

S. 629. Relating to Class 2 municipalities and the payment of assessments to a municipality for local improvements, so as to provide further for payment of said assessment; and to provide for payment in installments of principal amounts in excess of \$1,000.00, which shall bear interest.

GREG PAPPAS,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 546. Relating to Cullman County; abolishing the office of constable and providing an effective date.

Also:

S. 548. Relating to Cullman County, providing for an advisory referendum for the electors of the city of Cullman regarding the election of the members of the city board of education.

Also:

S. 552. Relating to Cullman County; providing for a form for the probate judge to use for petitions or in referendum elections that will distinguish and identify signees and authorizing the probate judge to void any name that fails to include information requested to distinguish and identify the signee.

GREG PAPPAS,
Clerk.

BUDGET ISOLATION RESOLUTION

Senator Smith (J) requested and received permission to suspend the Rules in order to bring up the Bill, HB 548.

Senator Smith (J), B.I.R., HB 548, adopted.

Yeas 20 Nays 1

Yeas:

Senators:

Bennett, Bolling, Campbell, Denton, Floyd, Foshee, Ghee, Hale, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Preuit, Smith (B), Smith (J), Waggoner, Wilson, and Windom -20

Nay: Senator Corbett

- 1

BILLS ON THIRD READING RESUMED

THE BILL:

H. 548. To amend Act No. 90-764 passed in the 1990 Regular Session which makes appropriations for ordinary expenses of the executive, legislative and judicial departments of the State by increasing the appropriation from the "Earmarked Funds" to the Department of Revenue and providing for a transfer of funds from the Department of Revenue to the Departmental Emergency Fund for the fiscal year ending September 30, 1991.

was taken up.

Senator Corbett offered the following substitute for the Bill, HB 548, to-wit:

SUBSTITUTE FOR HB 548

**A B I L L
T O B E E N T I T L E D
A N A C T**

To amend Act No. 90-764 passed in the 1990 Regular Session which makes appropriations for ordinary expenses of the executive, legislative and judicial departments of the State by increasing the appropriation from the "Earmarked Funds" to the Department of Revenue and

providing for a transfer of funds from the Department of Revenue to the Departmental Emergency Fund for the fiscal year ending September 30, 1991.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2C, Item 113, of Act 90-764 is hereby amended to read as follows:

"113. REVENUE, DEPARTMENT OF:

(a) State Revenue Administration Program	62,894,368
(b) Transfer to State General Fund	800,000
Any other law to the contrary notwithstanding, it is the intent of the Legislature that the Department of Revenue transfer \$800,000 to the State General Fund from the balance in the Rebuilt Salvage Motor Vehicle Fund, Revenue Fund #301918.	
(c) <u>Transfer to Departmental Emergency Fund</u>	<u>1,000,000</u>

SOURCE OF FUNDS:

(1) State General Fund-Transfer	250,000
As provided in Section 40-7-70, Code of Alabama 1975, to maintain a program for the equalization of ad valorem tax assessments.	
(2) State General Fund-Board of Equalization	124,442
(3) Transfer from the gross proceeds of Cigarette Tax Collections	<u>1,156,595</u>
As provided in Section 40-25-27, Code of Alabama 1975.	
(4) Transfer from the gross proceeds of Financial Institution Excise Tax Collections	<u>290,751</u>
(5) Transfer from the proceeds of the Forest Severance Tax Collections	<u>110,400</u>
(6) Transfer from the gross proceeds of Gasoline Tax Collections	<u>5,248,358</u>
(7) Transfer from the Income Tax Collections	17,811,879

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(8) Transfer from the gross proceeds of Motor Fuel Tax Collections	<u>1,093,842</u> <u>1,182,122</u>
(9) Transfer from the gross proceeds of Motor Vehicle License Collections	<u>2,371,740</u> <u>2,563,026</u>
(10) Transfer from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax	<u>725,733</u> <u>784,303</u>
(11) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax	1,788,017
(12) Transfer from the gross proceeds of Sales Tax Collections	15,713,567
(13) Transfer from the gross proceeds of the Tobacco Tax Collections	47,336
(14) Transfer from the gross proceeds of Use Tax Collections	1,719,660
(15) Transfer from the gross proceeds of the Utility Tax Collections	3,817,965
(16) Local Funds	6,900,000
(17) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tag.....	2,365,083
(18) Inspection fees for restored vehicles..... As provided in Section 32-8-87, Code of Alabama 1975.	2,050,000
(19) Revenue Administration Fund- Transfer from Abandoned Property Trust Fund as provided in Section 35-12-39, Code of Alabama 1975.	100,000

The amounts hereinabove appropriated for the cost o maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law.

Provided, however, in addition to the amount hereinabove appropriated, there is hereby ap-

propriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

Total Department of Revenue	374,442	63,319,926	63,694,368
		64,319,926	64,694,368

Section 2. Section 2D, Item 12, of Act 90-764 is hereby amended to read as follows:

*12. EMERGENCY FUND, DEPARTMENTAL:

(a) Special Services Program			1,500,000
SOURCE OF FUNDS:			2,500,000
(1) State General Fund	1,500,000		
(2) Transfer from Department of Revenue		1,000,000	

This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. Of the above appropriation, the amount of \$1,000,000 shall be transferred to the Department of Agriculture and Industries for the Boll Weevil Eradication Program.

~~This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office or agency. None of the above appropriation shall be transferred to the Governor's contingency fund. At least 10 days prior to the release of any of this appropriation to any state department, board, commission, bureau, office or agency, the State Finance Director shall notify the Chairman of the Senate Finance and Taxation Committee and the Chairman of the House Committee on Ways and Means of such pending transfer.~~

Total Departmental Emergency Fund	1,500,000	1,000,000	1,500,000
			2,500,000

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18 Nays 5

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Foshee, Ghee, Horn, Langford, Lindsey, Mitchell, Parsons, Preuitt, Smith (B), Smith (J), Wilson, and Windom -18

Nays:

Senators:

Ellis, Hale, Lipscomb, Mitchem, and Owens - 5

And said Bill, HB 548, as amended by the substitute, was read a third time at length and passed.

Yeas 24 Nays 0

Yeas:

Senators:

Amari, Bennett, Bolling, Campbell, Denton, Ellis, Floyd, Foshee, Ghee, Hale, Horn, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt, Smith (B), Smith (J), Waggoner, Wilson, and Windom -24

Nays:

- 0

MOTION IN WRITING

Senator Preuitt offered the following Motion in Writing, to-wit:

MOTION IN WRITING

Notice is hereby given that, as provided for by Rule 36 of the Senate Rules, on the next legislative day a motion in writing to amend the Senate Rules will be introduced as follows:

Rule No. 49. Change twenty-three (23) standing committees to twenty-five (25) standing committees in the first sentence of this rule.

At the conclusion of this rule, after the description of (24) Local Legislation No. 3, add a new standing committee to be designated and

described as follows:

(25) Select Committee on Fiscal Responsibility, to which may be referred any bill or matter relating to the economy or financial status of the State of Alabama or the citizens therein, as deemed by appropriate by the President of the Senate. In addition, the Committee may study long range revenue forecasting, budget expenditures, bonded indebtedness or refinancing of bonded indebtedness that may be deemed appropriate by the President of the Senate. The Committee shall consider and report to the Senate on the implications of recommendations made by any Fiscal/Tax Study Committee created by the Legislature or the executive branch and shall study and report on the effectiveness of fiscal policies and procedures used by agencies of the executive branch. This committee may conduct studies on fiscal policies of other states and report same to the Senate on or before the seventh legislative day of any regular session. The Select Committee on Fiscal Responsibility shall consist of five (5) members.

On motion of Senator Corbett, the Rules were suspended and the Motion in Writing was adopted by the Senate.

BUDGET ISOLATION RESOLUTION

Senator Windom, B.I.R., HB 684, adopted.

Yeas 20 Nays 4

Yeas:

Senators:

Bennett, Bolling, Campbell, Corbett, Denton, Floyd, Foshee, Ghee, Hilliard, Horn, Langford, Lindsey, Mitchell, Mitchem, Preuit, Sanders, Smith (J), Waggoner, Wilson, and Windom

-20

Nays:

Senators:

Bedsole, Ellis, Hale, and Lipscomb

- 4

BILLS ON THIRD READING RESUMED

THE BILL:

H. 684. To repeal Section 36-15-5, Code of Alabama 1975, and to provide for additional personnel and further duties of the Office of the Attorney General and to establish an additional means of funding therefor and to appropriate the Fund herein created.

was taken up.

Senator Bedsole offered the following amendment to the Bill, HB 684, to-wit:

AMENDMENT TO HB 684

Amend HB 684 page 5, line 28 by deleting Section 6 in its entirety on pages 5, 6, & 7 and renumbering the following sections appropriately.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 231. To make an appropriation from the State General Fund to the Lighthouse Counseling Center for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 251. To make an appropriation from the State General Fund to the Alabama Council for Parenting and Protecting Children, Inc. for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 233. To make an appropriation from the State General Fund to the Elyton Recovery Center for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 243. To make an appropriation from the State General Fund to the Commission on Aging for the Care Assurance System for the Aging and Homebound for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 244. To make an appropriation from the State General Fund to the Beacon House - Jasper for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 416. To amend §40-23-2, Code of Alabama, 1975, relating to taxes levied on certain gross receipts, so as to provide that athletic events conducted by a primary or secondary public school shall be exempted from said tax and to provide that said funds shall continue to be collected and shall be retained by the collecting school.

Also:

H. 477. To authorize state agencies an administrative option to require the timely electronic remittance of immediately available funds by any person, corporation or partnership required to satisfy an obligation due any agency of the state of Alabama amounting to one hundred thousand dollars (\$100,000) or more effective January 1, 1992, fifty thousand dollars (\$50,000) or more effective January 1, 1993 and twenty-five thousand dollars (\$25,000) or more effective January 1, 1994; establishes the date from which penalties and interest will be computed; and authorizes the promulgation of rules and regulations governing the manner in which such payments shall be made.

Also:

H. 857. To amend section 40-23-68 of the Code of Alabama 1975, to provide that the use taxes levied therein shall be paid to the State on a monthly basis beginning October 1, 1991.

Also:

H. 258. To make an appropriation from the State General Fund to the Retired Senior Volunteer Program for the fiscal year ending September 30, 1992, and to require an operations plan prior to release of any funds.

Also:

H. 266. To amend Act No. 90-556 of the Regular Session, 1990, as it amended Act No. 89-79 of the Regular Session, 1989, as it

amended Act No. 88-947 of the 1st Extraordinary Session, 1988, as it amended Act No. 87-761 of the Regular Session, 1987, as it amended Section 4 of Act No. 86-645 of the 1st Extraordinary Session, 1986, concerning the repayment of funds transferred from Fund No. 305735 by said Act.

Also:

H. 265. To amend Section 41-4-17, Code of Alabama, 1975, as amended, so as to eliminate the State Capitol building from exception of rent.

Also:

H. 267. To amend Section 2-C-52 of Act 90-764 of the Regular Session, 1990, so as to eliminate the requirement for a transfer to the State General Fund of \$2,000,000 from the Capitol Complex Maintenance and Repair Fund.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 370. To amend certain sections in Title 40 of the Code of Alabama 1975, relating to crimes and offenses committed by employees of the Department of Revenue for violations of revenue and taxation statutes, regulations and procedure requiring confidentiality of information and certain exclusions therefrom; to amend Section 40-18-52, Code of Alabama 1975, to increase the punishment for violation of the confidentiality of income tax returns and income tax information and to

amend Section 40-1-33, Code of Alabama 1975, so as to increase the punishment for violation of the confidentiality of all tax returns and information secured by the Department of Revenue; to amend Section 40-1-33, Code of Alabama 1975, to provide for the promulgation of rules and regulations permitting the exchange of tax information with other federal, state, county and municipal government tax agencies and associations of state tax agencies; and to specifically repeal Sections 40-23-29 (relating to confidentiality of sales tax returns), 40-23-84 (relating to confidentiality of use tax returns), 40-14-57 (relating to confidentiality of franchise tax returns), and 40-17-202 (relating to confidentiality of carriers and warehouse returns) of the Code of Alabama 1975 since those provisions would be duplicative of Section 40-1-33, Code of Alabama 1975.

Also:

H. 371. To amend Section 40-23-68 of the Code of Alabama 1975, to require out-of-state businesses with Alabama nexus to collect and report Alabama Use Tax on their sales to Alabama customers, and to provide for an effective date.

Also:

H. 372. To provide a statutory basis for the recovery of unclaimed property from out-of-state holders when such holders did not originate the unclaimed property and are merely intermediaries, and to clarify that the address of the unclaimed property holder is unknown, and to provide that subsection (a) shall apply to all property held at the time of enactment, or at any time thereafter, regardless of when such property became or becomes presumptively abandoned.

Also:

H. 706. To expand the purposes for which the Alabama Youth Services Board may expend certain funds appropriated in Act 90-764, section 2C.

Also:

H. 211. To make an appropriation to the Department of Education for the fiscal year ending September 30, 1992.

Also:

H. 217. To make an appropriation to the Department of Youth Services for the fiscal year ending September 30, 1992.

Also:

H. 234. To make an appropriation from the Alabama Special Educational Trust Fund to the East Alabama Child Development Center for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 246. To make an appropriation from the Alabama Special Educational Trust Fund for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 281. To appropriate the sum of \$750,000 from the Alabama Special Educational Trust Fund to the State Department of Education for the fiscal year ending September 30, 1991.

Also:

H. 653. To establish the Alabama Public Livestock Marketing Business Act; to establish a board to promote the marketing of livestock; and to establish charters for public livestock markets and to fix fees therefor.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House

Bills, your signature thereto is requested.

H. 84. To amend Sections 32-6-270 and 32-6-272 of the Code of Alabama 1975, so as to further define the term "Fire Fighter" and to provide further for their distinctive motor vehicle license plates.

Also:

H. 748. To prohibit the Library Enhancement Fund in the education appropriations from receiving less than 70 percent of its appropriation in any fiscal year in which proration is declared.

Also:

H. 794. To further provide for and regulate commercial fishing in Alabama; to amend Sections 9-11-141 and 9-11-142, Code of Alabama 1975, so as to provide for an exception (to the otherwise applicable licensing requirements of said sections) for certain assistants; and to amend Section 9-11-143, Code of Alabama 1975, so as to provide for an increase in certain license and issuance fees, relating to use of certain commercial fishing equipment.

Also:

H. 227. To make an appropriation from the Alabama Special Educational Trust Fund to the United Cerebral Palsy of Alabama, the United Cerebral Palsy Development Center for East Central Alabama, the Simpson-May Cerebral Palsy Center, the Cerebral Palsy Housing Foundation, the United Cerebral Palsy of Mobile and the United Cerebral Palsy of Huntsville for the fiscal year 1991-92, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

H. 228. To make an appropriation for the support and maintenance of the Special Schools for Special Education for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 79. To amend Section 11-43-80, Code of Alabama 1975, which authorizes a municipal governing body to employ the mayor as superintendent of the municipal utility system, so as to authorize said municipal governing body to establish the mayor's compensation for serving in such position.

Also:

H. 197. To amend Section 34-32-9, Code of Alabama 1975, relating to the qualifications for registration as professional soil classifiers, so as to provide further for such qualifications.

Also:

H. 352. To amend Section 17-8-25, Code of Alabama 1975, relating to the number of ballots to be provided for each voting place, so as to decrease the required number.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing

Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 180. Relating to persons who are required to register with the U. S. Selective Service System, so as to provide that such persons may not enroll in institutions of higher learning nor be offered employment or advancement or promotion by the State of Alabama unless such persons offer proof that they have so registered, and to authorize the State Personnel Board and the institutions of higher learning to promulgate necessary rules and regulations.

Also:

H. 469. Providing that certain members of the retirement systems of Alabama may purchase credit for certain previous service, not to exceed eight years service, rendered to a county as a county solicitor and prescribing certain conditions for purchasing such credit.

Also:

H. 584. To amend section 37-2-41, section 37-4-23 and section 37-4-116 of the Code of Alabama 1975, relating to the inspection and supervision fees paid by transportation, utility, and radio utility companies, so as to provide further for such fees; and to provide for the future compensation of certain employees.

Also:

H. 356. To provide for participation of employees of regional and local legislative delegation offices in the state employees' retirement system.

Also:

H. 392. To permit a domestic limited partnership to merge with one or more domestic limited partnerships, corporations or certain other business entities; to provide for the requirements, effects and procedures of merging said entities; to provide for certain filings and reports and the contents and effect of said filings and reports; to provide for service of

process; and to provide for the vesting of certain rights, privileges, powers, property, liabilities and duties.

Also:

H. 672. To amend §2-25-1, Code of Alabama (1975), which defines plants, plant pests, diseases and other definitions used in Chapter 25 to redefine plant pests and noxious weeds, dealers, plants, commissioner and board; to amend §2-25-2 by substituting plant pests and noxious weeds instead of insect pests and diseases in defining the purpose of Chapter 25; to amend §2-25-3 by substituting plant pests and noxious weeds for insect pests and diseases and adding plant pests and other articles capable of harboring plant pests or noxious weeds, and also allowing the commissioner to enter into cooperative agreements with other agencies, which said section defines the duty of the commissioner in protecting the agricultural interests of the state; to amend §2-25-4, which sets out the duties of the board by substituting plant pests and noxious weeds for insect pests and diseases and deleting its authority to enter into cooperative agreements; to amend §2-25-6, which sets up fees for obtaining inspection certificates for nurserymen and nurseries by allowing the state board of agriculture and industries to set fees; to repeal §2-25-7 in its entirety; to amend §2-25-8, which provides for revocation of inspection certificates; to amend §2-25-9, which provides for tagging of nursery stock by deleting those provisions that provide for recognizing out of state tags; to amend §2-25-10 by adding plant pests and noxious weeds to articles prohibited from being introduced into the state; to amend §2-25-13 by adding that plant products entering the state in violation of this law are contraband; to amend §2-25-14 by deleting the word agent; to amend §2-25-15 by substituting the words plant pests and noxious weeds for the words plant disease and insects; to amend §2-25-16, which prohibits improper destruction of infected plant cuttings, to add the words plant pests and noxious weeds; to repeal §2-25-17 in its entirety; to provide procedures to be used when nursery stock is found to contain plant pests and noxious weeds; to amend §2-25-18, which sets up appeal procedures to be used from an order of the commissioner, to set up requirements for written notice of appeal within 10 days; to repeal §2-25-19 in its entirety; to make unlawful the sale of nursery stock that is not viable and to define viability in nursery stock; to set up procedures for fumigation or treatment of infested plants; to amend §2-25-22, which provides penalties for violation of this Chapter by defining misdemeanor and conferring upon the commissioner the powers of a sheriff in enforcing these laws; to provide for issuance of injunctions for violations; to provide that principals are responsible for their agents' acts; to allow the commissioner to call into consultation specialists at Auburn University; to provide that persons shipping plants shall notify

the commissioner if there is a violation.

Also:

H. 752. To amend section 22-30B-2, Code of Alabama 1975, relating to fees paid by operators of commercial sites for the disposal of hazardous wastes or substances; so as to extend the time period in which exempted businesses may petition the department of revenue to qualify for such exempted status; to provide that the provisions of this amendatory act shall be retroactively effective to July 15, 1990; and to provide certain taxpayer relief concerning such exemption.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 155. To require that the State Board of Pharmacy establish and periodically update a published list of precursor chemicals which are essential to the manufacture of unlawful controlled substances; to establish an interim list of such chemicals; to enact registration, reporting, and record-keeping requirements for individuals who manufacture, buy, sell, transfer, transport, receive, possess, or otherwise furnish such listed precursor chemicals, under the direction and supervision of the Board of Pharmacy; to make unlawful the possession of listed precursor chemicals with knowledge or intent that the same will be used in the unlawful manufacture of controlled substances; to empower the Board of Pharmacy to adopt reasonable rules and regulations to effect the purposes of the act, and to charge reasonable fees for the registration of listed precursor chemical transactions; and to provide penalties for violation of the act.

Also:

H. 314. To amend Section 11-45-2, Code of Alabama 1975, so as to provide that in all towns and in cities of less than 12,000 population, no ordinance or resolution, intended to be of permanent operation shall be valid unless, on its final passage, a majority of the members elected to the council, including the mayor, shall vote in its favor.

Also:

H. 141. To amend Section 12-15-61, Code of Alabama 1975, relating to certain facilities used for detention and shelter care of children, so as to provide further for such detention and shelter care and to provide for subsidy by the state of certain costs thereof, effective October 1, 1991.

Also:

H. 35. To amend Section 13A-12-231, Code of Alabama 1975, which provides for the offense of trafficking in illegal drugs, so as to include amphetamine and methamphetamine within the offense.

Also:

H. 505. To amend Section 9-11-244, Code of Alabama 1975, relating to the taking of certain protected birds or animals by bait, so as to provide for an exception for certain hunting of migratory birds.

Also:

H. 440. To appropriate the sum of \$500,000 from the State General Fund to the State Highway Department for the operations and maintenance of the Gulf Breeze Amtrak Passenger Train Service for the fiscal year ending September 30, 1991.

Also:

H. 787. To amend Section 7-9-403, Code of Alabama 1975, which relates to the filing of financing statements, so as to provide further for such filing.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 88. To create the Catastrophic Trust Fund for Special Education to be administered by the State Department of Education for the purpose of assisting local education agencies in providing special education and related services to children with disabilities in catastrophic cases, and to further provide that unencumbered portions of the funds remain in the Catastrophic Trust Fund for Special Education for future use in such cases.

Also:

H. 296. Requiring any insurance company, health maintenance organization, employer or other organization that provides a pharmaceutical program to their employers or members, to obtain written proof that the provider pharmacies are registered with the Alabama state board of pharmacy and prescribing penalties for violation.

Also:

H. 497. To authorize the Alabama Medicaid Agency to make financing available for addressing liability insurance costs for family practitioners, pediatricians and obstetricians who provide obstetrical services in rural or underserved areas; and authorize the Alabama Medicaid Agency to annually adjust such financing to allow for annual premium increases; and for other purposes.

Also:

H. 531. To authorize the Secretary of State to employ an additional employee.

GREG PAPPAS,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 128. To require persons engaged in the business of purchasing and receiving or collecting waste grease and animal by-products for rendering or recycling from businesses located in various cities of the state to pay a license tax in each such city; and to provide the rate of such license tax.

Also:

H. 357. To amend Section 11-88-5 of the Code of Alabama 1975, as amended, relating to the authorization and procedure for amendment of the certificate of incorporation of water, sewer and fire protection authorities with a service area that lies solely within one determining county so as to permit changes in the number of directors of such authorities to any odd number thereof that the board shall deem appropriate, and to provide that the total number of directors of any such authority shall be not less than three or more than five; to validate the membership of the boards of directors of all such authorities as are presently in existence; and to provide an effective date.

Also:

H. 437. To require all persons 16 years of age or older to present certification of completion of an approved hunter education course prior to obtaining a hunting license and provides penalties for violations.

GREG PAPPAS,
Clerk.**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

S. 502. Relating to Montgomery County; providing further for the compensation of the tax assessor and tax collector.

Also:

S. 546. Relating to Cullman County; abolishing the office of constable and providing an effective date.

Also:

S. 548. Relating to Cullman County, providing for an advisory referendum for the electors of the city of Cullman regarding the election of the members of the city board of education.

Also:

S. 552. Relating to Cullman County; providing for a form for the probate judge to use for petitions or in referendum elections that will distinguish and identify signees and authorizing the probate judge to void any name that fails to include information requested to distinguish and identify the signee.

Also:

S. 560. Relating to Marion County; to amend Section 4 of Act

No. 80-128, 1980 Regular Session, so as to provide further for the disposition of the proceeds from the sale of county property.

Also:

S. 568. Providing for the maintenance of a public law library in DeKalb County through imposition of a certain library fee attached to certain court costs; providing for the management of such library; and providing for disposition of funds from such fees.

Also:

S. 569. To amend Section 7 of Act No. 444, H. 986 of the 1961 Regular Session (Acts 1961, p. 482), which provided further for the DeKalb County Commission, so as to provide further for meetings of such commission.

Also:

S. 570. To repeal Act No. 144, H. 557 of the 1973 Regular Session (Acts 1973, p. 174), entitled "An Act Relating to DeKalb County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws."

Also:

S. 571. To amend Section 1 of Act No. 81-582, 1981 Regular Session, (Acts 1981, p. 969), which fixes the fee for issuance of a pistol permit in DeKalb County, so as to provide further for such fee.

Also:

S. 572. Relating to DeKalb County; authorizing certain county officials to use mechanical or facsimile devices for signatures on warrants or checks drawn on the county treasury or depository.

JIM PREUITT,
Chairperson.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after

the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

S. 607. Relating to Chilton County; to provide that the probate judge shall provide for an additional method of ordering annual certificates of registration of boats by mail; to provide that the probate judge shall charge an additional fee to the boat owner for each such certificate issued by mail, and to provide for the disposition of such fees.

Also:

S. 626. Relating to Mobile County; to provide the county treasurer an annual county salary of \$35,500.00, effective upon the expiration of the current term of office which, when effective, shall constitute the total compensation payable by the county to said official, in lieu of any other local salary, expense allowance, per diem or other compensation previously provided by law to said official.

Also:

S. 629. Relating to Class 2 municipalities and the payment of assessments to a municipality for local improvements, so as to provide further for payment of said assessment; and to provide for payment in installments of principal amounts in excess of \$1,000.00, which shall bear interest.

Also:

S. 647. To alter, rearrange and extend the boundary lines and corporate limits of the town of Mosses in Lowndes County.

Also:

S. 664. Relating to Bibb County; providing for the mode of construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Bibb County; prohibiting the performance of certain work on private property and providing civil fines for violations; and providing for this bill to become effective on October 1, 1991.

Also:

S. 666. Relating to the Eighteenth Judicial Circuit of Alabama; to amend Act No. 79-523, H. 426, 1979 Regular Session, so as to provide an increase in expense allowance for each official reporter within the said judicial circuit.

Also:

S. 667. Relating to Shelby County, amending Section 1 of Act No. 191, H. 525, 1971 Regular Session, which provides a special expense allowance of \$2,400.00 per annum for the presiding circuit judge of the Eighteenth Judicial Circuit above that of the other Circuit Judges, said allowance also being outside the current \$15,000.00 expense allowance for each Circuit Judge, so as to provide that such \$2,400.00 may be received by the presiding judge's confidential employee at his designation.

Also:

S. 668. Relating to Bibb County; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing those procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

Also:

S. 672. Relating to the City of Opp in Covington County; authorizing an additional ad valorem tax to be used for the general educational purposes and providing for a referendum.

JIM PREUITT,
Chairperson.**SIGNING OF BILLS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF HB 684

The Senate proceeded to further consideration of the Bill, HB 684. The question was on the Bedsole amendment.

On motion of Senator deGraffenried the Rules were suspended and further consideration of the Bill, HB 684, and pending amendment, was postponed.

Yeas 14 Nays 11

Yeas:

Senators:

Amari, Barron, Bedsole, Bolling, deGraffenried, Denton, Ellis, Hale,
Horn, Lipscomb, Owens, Smith (B), Smith (J), and Waggoner -14

Nays:

Senators:

Bailey, Campbell, Corbett, Floyd, Langford, Lindsey, Mitchell,
Mitchem, Sanders, Wilson, and Windom -11**MOTION TO ADJOURN**

Senator deGraffenried moved that when the Senate adjourns today, it adjourn to meet again on Monday, July 29, 1991, at 9 o'clock A.M., which motion was adopted.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

SR 160. SPECIAL ORDER CALENDAR.

RESOLVED BY THE SENATE That the following bill in the order named shall be the paramount and continuing order of business taking precedence over all other matters for the twenty-ninth legislative day of the 1991 Regular Session only:

Inst Id	Page
H. 203	45
Education budget, for support, maintenance and development of public education	

On motion of Senator deGraffenried, the Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the fourth special, paramount, and continuing order of business for today, which was the Bill:

H. 203. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1992.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, HB 203, to-wit:

SUBSTITUTE FOR HB 203

**A B I L L
T O B E E N T I T L E D
A N A C T**

To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1992.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby appropriated for the support of public education in Alabama for the fiscal year ending September 30, 1992, and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 4 of this Act. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs is shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, "ASETF" shall mean the Alabama Special Educational Trust Fund and "Federal and Local Funds" shall mean all gifts, grants, contributions, or entitlements, including grants by the Congress of the United States, municipalities or counties.

SECTION 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund, Alabama Peace Officers' Standards and Training Fund, and Public School Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1992, and the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Code of Alabama 1975, as amended, Sections 41-4-80 through 41-4-96), the provisions of The Budget Management Act of 1976 (Code of Alabama 1975, as amended, Sections 41-19-1 through 41-19-12), and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Earmarked Funds" and "Appropriation Total" are as set forth for the purpose of establishing amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for an efficient use of funds available and are hereby appropriated by the Legislature. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

<u>Fund Sources Included In Appropriation Total</u>		
<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>

SECTION 3.

A. STATE AGENCIES:

1. AMERICAN LEGION AND

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		Fund Sources Included In Appropriation Total		Appropriation Total
		ASETF	Earmarked Funds	
AUXILIARY SCHOLARSHIPS:				
(a)	Support of Other Educational Activities Program			108,315
SOURCE OF FUNDS:				
	(1) ASETF	108,315		
	Total American Legion and Auxiliary Scholarships.....	108,315		108,315
	To be expended under the provisions of <u>Code of Alabama 1975</u> , as amended, Sections 16-31-1 through 16-31-4.			
2. ARTS, STATE COUNCIL ON THE:				
(a)	Fine Arts Program.....			2,973,774
SOURCE OF FUNDS:				
	(1) ASETF	2,078,774		
	(2) Federal and Local Funds		895,000	
	Total State Council on the Arts	2,078,774	895,000	2,973,774
3. CHILD ABUSE AND NEGLECT PREVENTION BOARD:				
(a)	Social Services Program			291,798
	In accordance with Sections 26- 16-1 et seq., <u>Code of Alabama</u> 1975.			
SOURCE OF FUNDS:				
	(1) ASETF	291,798		
	Total Child Abuse and Neglect Prevention Board.....	291,798		291,798
4. DEBT SERVICE:				
(a)	Debt Service Program			649,708
	For interest on endowments as follows:			
	For interest on University of Montevallo (Alabama College) Endowment, Estimated.....	34,964		
	For interest on Auburn University Endowment.....	20,280		
	For interest on University of Alabama Endowment.....	61,000		
	For interest on Grove Hill Endowment	600		
	For interest on Public School Fund Endowment:			

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	Fund Sources Included In Appropriation Total		Appropriation Total
	ASETF	Earmarked Funds	
Interest on 16th Section Lands, Estimated .....410,000			
Interest on School Indemnity Lands, Estimated .....90,000			
Interest on Valueless 16th Section Lands .....5,825			
Interest on Surplus Revenue.....26,764			
Interest on James Wallace Fund .....275			
Total Interest on Public School Fund Endowment .....532,864			
SOURCE OF FUNDS:			
(1) ASETF	649,708		
Total Debt Service	649,708		649,708
5. DENTAL SCHOLARSHIP AWARDS, BOARD OF:			
(a) Support of Other Educational Activities Program			169,453
SOURCE OF FUNDS:			
(1) ASETF	169,453		
Total Board of Dental Scholarship Awards.....	169,453		169,453
To be expended under the provisions of <u>Code of Alabama</u> 1975, as amended, Sections 16- 47-76 through 16-47-81.			
6. EDUCATION, DEPARTMENT OF:			
(a) Administrative Services Program ..			16,278,035
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Compact for Education.....46,407			
Operations and Maintenance of Department.....4,938,875			
Leadership and Manage- ment .....540,375			
Of the above appropriation to Leadership and Management, an amount up to \$242,560 shall be expended on Project LEAD.			
Electronic Network .....415,156			
SOURCE OF FUNDS:			
(1) ASETF	5,940,813		
(2) Federal and Local Funds		10,337,222	
Total Administrative Services Program	5,940,813	10,337,222	16,278,035
(b) Adult Basic Education Program ...			6,437,810

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		<u>Fund Sources Included In Appropriation Total</u>		
		<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
SOURCE OF FUNDS:				
(1) ASETF.....		3,119,923		
(2) Federal and Local Funds.....			3,317,887	
Total Adult Basic Education				
Program		<u>3,119,923</u>	<u>3,317,887</u>	<u>6,437,810</u>
(c)	Community Education Program ... Of the above appropriation to the Department of Education for Community Education, \$81,838 shall be allocated to the Bir- mingham Board of Education, Department of Community Ed- ucation.			963,312
SOURCE OF FUNDS:				
(1) ASETF		744,728		
(2) Federal and Local Funds.....			218,584	
Total Community Education				
Program		<u>744,728</u>	<u>218,584</u>	<u>963,312</u>
(d)	Financial Assistance Program..... The proposed spending plan for the ASETF monies included in the above program is as follows: Elementary Teachers Scholarships22,876 To be paid in accordance with <u>Code of Alabama 1975</u> , as amended, Section 16-23-17. Teacher In-Service Centers1,963,901 The State Board of Education shall administer the In-Service Educational Centers and shall monitor said centers for com- pliance with established account- ability standards. Of the above appropriation, \$159,893 may be used by the State Board of Education for the administration and monitoring of said centers. The above appropriation shall be distributed in the following manner: (aa) The sum of \$79,475 shall be distributed to each of the fol- lowing in-service centers: (1) Alabama A&M University (2) Alabama State University (3) Athens State College (4) Auburn University (5) Jacksonville State University (6) Troy State University (7) University of Alabama			305,849,615

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		Fund Sources Included In Appropriation Total		
		<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(8) University of Alabama at Birmingham				
(9) University of Montevallo				
(10) University of North Alabama				
(11) University of South Alabama				
(bb) The remainder of the above appropriation shall be allotted to each in-service center based on the number of state-funded teacher units earned in each region as reported by the State Department of Education, Re- vised Calculations for 1990-91, and the number of teachers em- ployed as reported on the 1990- 91 LEA Personnel Report for Additional Allocation for Special Education and State Vocational Education Teachers. Each in- service center shall be affiliated with the same region each center served on October 1, 1987. In addition, the appropriation made in (aa) and (bb) above shall be distributed to the named in- service centers within five days of each quarterly allotment to the State Department of Education.				
SOURCE OF FUNDS:				
(1) ASETF		1,986,777		
(2) Federal and Local Funds			303,862,838	
Total Financial Assistance				
Program		1,986,777	303,862,838	305,849,615
(e) Alabama Young Farmers Educa- tion Program				48,140
SOURCE OF FUNDS:				
(1) ASETF		48,140		
Total Alabama Young Farmers				
Education Program		48,140		48,140
(f) Instructional Technical Assistance				
Program				11,095,465
The proposed spending plan for the ASETF monies included in the above program is as follows:				
Basic Skills Program.....		947,040		
Early Childhood Education Ad- ministration.....		99,302		
Instructional Technical Assis- tance		1,282,659		
Special Education Adminis- tration		402,338		
Vocational Education				

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>ASETF</u>	<u>Earmarked Funds</u>	
	Administration	999,328		
	National Geographic Grant-Matching Funds.....	48,140		
	SOURCE OF FUNDS:			
	(1) ASETF	3,778,807		
	(2) Federal and Local Fund		7,316,658	
	Total Instructional Technical Assistance Program	3,778,807	7,316,658	11,095,465
(g)	Local Agency Support Program....			20,574,127
	The proposed spending plan for the ASETF monies included in the above program is as follows:			
	Advanced Placement.....	440,186		
	Driver Education, School Bus Driver Training and Vehicle Safety Inspection	580,122		
	Free Textbooks.....	13,547,628		
	Guidance and Counseling	189,204		
	Operations and Maintenance.....	311,399		
	School Attendance.....	194,704		
	School Facilities and Architectural Services	194,530		
	Testing.....	2,332,222		
	Emergency Food Assistance and Child Nutrition Programs	66,261		
	SOURCE OF FUNDS:			
	(1) ASETF	17,856,256		
	(2) Federal and Local Funds		2,717,871	
	Total Local Agency Support Program	17,856,256	2,717,871	20,574,127
(h)	Regulation Program			2,468,223
	The proposed spending plan for the ASETF monies included in the above program is as follows:			
	Teacher Certification and Accreditation.....	681,157		
	Undergraduate/Graduate Program Approval	382,717		
	Operations and Maintenance	401,259		
	SOURCE OF FUNDS:			
	(1) ASETF.....	1,465,133		
	(2) Federal and Local Funds		1,003,090	
	Total Regulation Program	1,465,133	1,003,090	2,468,223
(i)	Support of Other Educational Activities Program			8,510
	The proposed spending plan for the ASETF monies included in the above program is as follows:			

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	Fund Sources Included In Appropriation Total		
	ASETF	Earmarked Funds	Appropriation Total
Education of Dependents of Blind Parents.....			8,510
SOURCE OF FUNDS:			
(1) ASETF	8,510		
Total Support of Other Educational Activities Program	8,510		8,510
For reimbursement of every state institution of higher learning, college, university, or technical college or junior college in which benefits are given to dependents of blind parents under the provisions of <u>Code of Alabama 1975, as amended, Sections 16- 33-1 through 16-33-12.</u>			
(j) Support of State Universities Program			50,000
SOURCE OF FUNDS:			
(1) Federal and Local Funds		50,000	
Total Support of State Univer- sities Program		50,000	50,000
(k) Alabama Center for Law and Civic Education			48,140
SOURCE OF FUNDS:			
(1) ASETF	48,140		
Total Alabama Center for Law and Civic Education	48,140		48,140
(l) Education Specialist for Litter Education			50,000
SOURCE OF FUNDS:			
(1) ASETF	50,000		
Total Education Specialist for Litter Education	50,000		50,000
TOTAL DEPARTMENT OF EDUCATION:			
SOURCE OF FUNDS:			
(1) ASETF	35,047,227		
(2) Federal and Local Funds		328,824,150	
GRAND TOTAL DEPARTMENT OF EDUCATION.	35,047,227	328,824,150	363,871,377
7. EDUCATION, STATE BOARD OF - MINIMUM PROGRAM AND PUBLIC SCHOOL FUND:			
(a) Minimum Program			747,841,720
SOURCE OF FUNDS:			
(1) ASETF	685,165,235		
(2) Public School Fund.....		58,000,000	
(3) Local Funds		4,676,485	
Total Minimum Program, Public			

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	Fund Sources Included In Appropriation Total		
	<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
School Fund and Local Funds	685,165,235	62,676,485	747,841,720

The above appropriation shall be paid in accordance with Code of Alabama 1975, as amended, Sections 16-13-50 through 16-13-59, and all other legislation pertaining thereto. For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 259 of the Constitution of Alabama 1901 and the amount appropriated from all other funds as is now provided by law, however, not more than four percent of the Public School Funds appropriated above shall be used or expended otherwise than for the payment of teachers employed in such schools. If the Public School Fund receives more revenue than appropriated for the fiscal year ending September 30, 1992, the excess in revenue shall be carried over as a beginning balance for the fiscal year beginning October 1, 1992.

The appropriation hereinabove set out for the fiscal year 1991-92 is based on 23,810.21 teacher units. It is provided in the event that there are more than 23,810.21 earned teacher units for the fiscal year 1991-92, then such amounts necessary to pay for these excess teacher units are hereby appropriated. It is further provided that in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid. It is further provided that in the event that there be less than \$58,000,000 available from the Public School Fund for the fiscal year 1991-92, then such amount necessary to pay any such shortfall in the Public School Fund monies is hereby appropriated from the ASETF.

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<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
<u>ASETF</u>	<u>Earmarked Funds</u>	

In allocating the funds in subsection (a) the State Board of Education shall allot as follows:

For "Board of Adjustment" awards in accordance with the Minimum Program statutes and regulations an amount not to exceed \$300,000.

For "Salaries" the total shall not exceed the sum of \$576,191,844. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of TU</u>	<u>Total</u>
AA	\$26,485	3,047.71	\$ 80,718,599
I	24,798	14,714.72	364,895,627
II	21,591	6,047.78	130,577,618
III	18,179	0.00	0
IV	15,787	0.00	0
		23,810.21	\$ 576,191,844

For "Principal Supplement" an amount not to exceed \$100 for each earned teacher unit but the total shall not exceed the sum of \$2,381,021.

For "Other Current Expense" an amount not to exceed \$4,548.37 for each earned teacher unit but the total shall not exceed the sum of \$108,297,645. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$58.50 for each earned teacher unit but the total shall not exceed the sum of \$1,392,897.

The above appropriation contained in subsection (a) shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but the total shall not exceed the sum of \$59,278,313. No funds provided herein shall be used for the payment

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Fund Sources Included
In Appropriation Total

<u>ASETF</u>	<u>Earmarked</u> <u>Funds</u>	<u>Appropriation</u> <u>Total</u>
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of any personnel salaries not under the direct control, employment, and supervision of local boards of education.

**8. EDUCATION, STATE BOARD OF -
LOCAL BOARDS:**

(a) State Board of Education, Local Boards Program.....		686,574,673
SOURCE OF FUNDS:		
(1) ASETF	686,574,673	
Total State Board of Education - Local Boards.....	686,574,673	686,574,673
To be distributed by the State Board of Education for:		

(1) Teachers' Sick
Leave.....4,742,581
Of the appropriation here-
inabove made for Teachers'
Sick Leave, the rate of not
more than \$20.50 per day is
hereby appropriated. It is the
intent of the Legislature that
the rate of local supplements
paid by each school system
for teachers' sick leave for the
1990-91 fiscal year be
continued at that rate through
the 1991-92 fiscal year. The
above appropriation shall be
in addition to any local
supplements paid for teachers'
sick leave within a system.

(2) Support Personnel Sick
Leave.....2,014,181
Of the appropriation herein-
above made for Support
Personnel Sick Leave, in
accordance with Code of
Alabama 1975, as amended,
Section 16-1-18, the rate of
not more than \$17 per day is
hereby appropriated.

(3) Teachers' Personal
Leave.....1,800,564
The appropriation herein-
above made for Teachers'
Personal Leave provides for
two (2) days personal leave
at the rate of not more than

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	Fund Sources Included In Appropriation Total		Appropriation Total
	<u>ASETF</u>	<u>Earmarked Funds</u>	
<p>\$20.50 per day per teacher unit for each teacher employed (except for ECIA Chapter 1 and 2 teachers). It is the intent of the Legislature that the rate of local supplements paid by each school system for teachers' personal leave for the 1990-91 fiscal year be continued at that rate through the 1991-92 fiscal year. The above appropriation shall be in addition to any local supplements paid for teachers' personal leave within a system.</p>			
<p>(4) Support Personnel Personal Leave.....440,861 The appropriation hereinabove made for Support Personnel Personal Leave, in accordance with the provisions of <u>Code of Alabama 1975</u>, as amended, Section 16-8-26.1, provides for two (2) days personal leave at the rate of not more than \$17 per day.</p>			
<p>(5) Classroom Instructional Supplies21,890,375 Of the appropriation hereinabove made for Classroom Instructional Supplies there is hereby appropriated an amount not to exceed five hundred eight dollars (\$508) per teacher unit for grades K-12 for all teachers employed (except ECIA Chapter 1 and 2 teachers). Notwithstanding the provisions of <u>Code of Alabama 1975</u>, as amended, Section 16-13-40, the above appropriation of \$21,890,375 shall be expended solely for the purchase of instructional supplies to be used in the classrooms within each pub-</p>			

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<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
<u>ASETF</u>	<u>Earmarked Funds</u>	

lic school system. The adoption of a budget for the expenditure of this appropriation shall be by secret ballot. Each local school superintendent shall submit a notarized affidavit to the State Department of Education certifying that funds appropriated in this section have been expended only for instructional supplies or instructional equipment for classrooms as provided and required in Section 16-13-13, Code of Alabama 1975, as amended. On the affidavit, the superintendent shall state the amount of funds expended for use by classroom teachers and the amount of funds expended for collective purchases for instructional purposes. The affidavit of expenditures shall be subject to audit by the Examiners of Public Accounts. Any person expending funds not in compliance with this appropriation or Section 16-13-13, Code of Alabama 1975, as amended, or falsifying certification of expenditures, shall be guilty of a Class A misdemeanor. Any funds appropriated herein and not expended for said purpose by any school system shall revert to the Alabama Special Educational Trust Fund. In the event proration is declared in the Alabama Special Educational Trust Fund, each local school system shall expend at least 80% of its allocation of the above appropriation for instructional supplies notwithstanding the provisions of Code of Alabama 1975, as amended, Section 16-13-144.

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	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>ASETF</u>	<u>Earmarked Funds</u>	
Any law, rule or regulation to the contrary notwithstanding, each local board of education may purchase classroom school supplies in bulk pursuant to the competitive bid law, or upon resolution passed at a meeting called for the purpose and with notice, any board may allocate funds to individual schools or to teachers to purchase such classroom supplies by the voucher system and proper accounting safe-guards. Such method shall be determined prior to the beginning of the first term of the school year, by each local school board. Restrictions shall not be devised (or imposed) to prohibit the ordering of Classroom Instructional Supplies beyond December 1 to the full extent of the appropriation.			

- (6) Kindergarten Instructional Supplies....1,097,173
The above appropriation of \$1,097,173 shall be expended solely for the purchase of kindergarten instructional supplies to be used in the classrooms within each public school system. Each local school superintendent shall submit a notarized affidavit to the State Department of Education certifying that funds appropriated in this section have been expended only for kindergarten instructional supplies or instructional equipment for classrooms. On the affidavit, the superintendent shall state the amount of funds expended for use by classroom teachers and the amount of

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Fund Sources Included
In Appropriation Total

<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
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funds expended for collective purchases for instructional purposes. This appropriation shall be in addition to the funds provided herein for "Classroom Instructional Supplies." However, this appropriation shall be subject to the same rules and regulations as are Classroom Instructional Supplies and shall also be subject to Section 16-13-13, Code of Alabama 1975. Each school shall have a specific policy on the development of the budget for Kindergarten Instruction Supplies consistent with state law, and such policy shall contain a secret ballot provision for the teachers in adopting said budget. The affidavit of expenditures shall be subject to audit by the Examiners of Public Accounts. Any person expending funds not in compliance with this appropriation or falsifying certification of expenditures shall be guilty of a Class A misdemeanor. Any funds appropriated herein and not expended for said purpose by any school system shall revert to the Alabama Special Educational Trust Fund. In the event proration is declared in the Alabama Special Educational Trust Fund, each local school system shall expend at least 80% of its allocation of the above appropriation for kindergarten instructional supplies. Restrictions shall not be devised (or imposed) to prohibit the ordering of Kindergarten Instructional Supplies beyond December 1 to

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	Fund Sources Included In Appropriation Total		Appropriation Total
	<u>ASETF</u>	<u>Earmarked Funds</u>	
the full extent of the appropriation.			
(7) Maintenance .....8,315,164 To be distributed to all local boards of education based on a formula to be determined by the State Board of Education.			
(8) Continuation of Funds Previously Granted for Special Education...27,073,523			
(9) Special Schools for Special Education.....2,931,986 To be distributed by the State Board of Education as follows: \$433,260 shall be allocated to the Tuscaloosa Regional Handicapped School a portion of which shall be used for Alberta City Summer Program for Mentally Retarded; \$43,326 shall be allocated to the Regional Center for Handicapped Children in Pickens County; \$389,934 shall be allocated to the Southwest Alabama School for Deaf and Blind; \$21,663 shall be allocated to the Jasper Shriner School; \$64,989 shall be allocated to Coffee County Board of Education-Project Independence; \$37,260 shall be allocated to Auburn University Preschool for Multi-handicapped Children; \$64,989 shall be allocated to the Montgomery County Board of Education for the purpose of operating a program for deaf students in public schools; \$86,652 shall be allocated to the Special Education School in Vinemont in Cullman County; \$198,000 shall be allocated to the Dothan City Board of Education for a			

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Fund Sources Included In Appropriation Total		
<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
<p>pilot program for gifted children and for a program for the hearing impaired; \$25,996 shall be allocated to the Houston County Board of Education for a pilot program for gifted children; \$86,652 shall be allocated to Cullman City Special Education Program; \$64,989 shall be allocated to the Cleveland School for the Handicapped; \$24,359 shall be allocated to the Tannehill Learning Center; \$483,585 shall be allocated to the Alabama Institute for Deaf and Blind to implement the purpose of <u>Code of Alabama 1975</u>, as amended, Section 16-39-3, and P.L. 94-142; \$505,470 shall be allocated to the Chauncey Sparks Center for Developmental and Learning Disorders; \$28,884 shall be allocated to Daleville Board of Education for a program for gifted children; \$48,140 for the Baldwin County Board of Education-Operation Excellence; \$120,350 to the Troy City School System; \$25,996 shall be allocated to the Geneva City School system for a program for gifted children; \$24,070 for the Midfield City Board of Education for Special Education; \$28,884 to the DeKalb County Board of Education for the Northeast Alabama Regional Special Education Assessment Program; \$33,072 to the Geneva County Board of Education; \$62,582 for the Covington County School System for the Audiological Center; and \$28,884 to the Jackson County Board of Education.</p>		

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>ASETF</u>	<u>Earmarked Funds</u>	
(10)	Kindergarten Teacher Units.....84,825,495 The above appropriation is for 3,029.72 teacher units and includes salaries, other current expense, and capital improvements at the fol- lowing rates:			

For "Salaries" the total shall not exceed the sum of \$70,867,968. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of TU</u>	<u>Total</u>
AA	\$26,485	145.43	\$ 3,851,713
I	24,798	1,478.50	36,663,843
II	21,591	1,405.79	30,352,412
		3,029.72	\$70,867,968

For "Other Current Expense" an amount not to exceed \$4,548.37 for each earned teacher unit but the total shall not exceed the sum of \$13,780,288. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$58.50 for each earned teacher unit but the total shall not exceed the sum of \$177,239.

Of the above appropriation for Kindergarten Teacher Units, twelve (12) units shall be allocated to the Alabama Institute for Deaf and Blind for the Preschool Deaf and Blind Program.

It is the intent of the Legislature to fully fund a statewide kindergarten program at the ratio of seventeen (17) students in average daily attendance for the first four (4) months to one (1) teacher unit. In the event less than 3,029.72 teacher units are earned for the fiscal year 1991-92, then such amount shall not be allotted or paid. In the event more than 3,029.72 teacher units are earned for the fiscal year 1991-92, then such amounts necessary to pay for these excess teacher units are hereby appropriated.

<u>Fund Sources Included In Appropriation Total</u>		
<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(11) Continuation of Teacher Units to reduce pupil- teacher ratio in grades 2-6 .....15,009,606 The above appropriation is for 526.45 teacher units and includes salaries, other cur- rent expense, and capital improvements at the fol- lowing rates:		

For "Salaries" the total shall not exceed the sum of \$12,584,320. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of TU</u>	<u>Total</u>
AA	\$26,485	76.33	\$ 2,021,600
I	24,798	263.23	6,527,578
II	21,591	186.89	4,035,142
		<u>526.45</u>	<u>\$ 12,584,320</u>

For "Other Current Expense" an amount not to exceed \$4,548.37 for each earned teacher unit but the total shall not exceed the sum of \$2,394,489. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$58.50 for each earned teacher unit but the total shall not exceed the sum of \$30,797.

- (12) Supportive Teacher
Units53,259,675
The above appropriation
provides for one extra unit
or fraction thereof for each
aggregate of fifteen (15)
units or fraction thereof
earned on regular units in
the Minimum Program,
Kindergarten Teacher Units
in (10) and Continuation
Teacher Units in (11). The

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Fund Sources Included In Appropriation Total		
<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
above appropriation is for 1,824.43 teacher units and includes salaries, other current expense, and capital improvements at the fol- lowing rates:		

For "Salaries" the total shall not exceed the sum of \$44,854,763. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of TU</u>	<u>Total</u>
AA	\$26,485	405.02	\$10,726,955
I	24,798	1,085.54	26,919,221
II	21,591	333.87	7,208,587
		1,824.43	\$44,854,763

For "Other Current Expense" an amount not to exceed \$4,548.37 for each earned teacher unit but the total shall not exceed the sum of \$8,298,183. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$58.50 for each earned teacher unit but the total shall not exceed the sum of \$106,729.

- (13) Special Education Teacher
Units105,355,926
The above appropriation is
for 3,600 teacher units and
includes salaries, other
current expense, capital
improvements, and trans-
portation at the following
rates:

For "Salaries" the total shall not exceed the sum of \$88,007,994. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

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<u>Rank</u>	<u>Salary Allotment</u>	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>ASETF</u>	<u>Earmarked Funds</u>	
		<u>Number of TU</u>		<u>Total</u>
AA	\$26,485	338.40		\$ 8,962,524
I	24,798	2,689.20		66,686,782
II	21,591	572.40		12,358,688
		3,600.00		\$88,007,994

For "Other Current Expense" an amount not to exceed \$4,548.37 for each earned teacher unit but the total shall not exceed the sum of \$16,374,132. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$58.50 for each earned teacher unit but the total shall not exceed the sum of \$210,600.

For "Transportation" the total shall not exceed \$763,200. No funds provided herein shall be used for the payment of any personnel salaries not under the direct control, employment, and supervision of local boards of education.

- (14) Vocational
Education83,332,827
The appropriation herein-
above for Vocational
Education shall be disbursed
or obligated in accordance
with rules and regulations
approved by the State Board
of Education upon the
recommendation of the State
Superintendent. Of the
above appropriation,
\$1,000,000 shall be allocated
for adult training and ap-
prenticeship programs and
\$1,400,000 shall be allocated
for technical program
improvement. Of the above
appropriation, an equal
amount shall be allotted to
each vocational teacher unit

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		Fund Sources Included In Appropriation Total		Appropriation Total
		<u>ASETF</u>	<u>Earmarked Funds</u>	
funded herein for support and operations.				
(15)	Teachers' Aides ..3,912,338 To be distributed by the State Board of Education to all local boards of education and the Alabama Institute for Deaf and Blind on the basis of average daily attendance for the preceding school year to employ teacher aides so as to pro- vide each teacher employed a minimum of thirty con- secutive minutes of time free from instructional or supervisory responsibilities each teaching day.			
(16)	Salary Increases for Tenured Teachers (Estimated) .....87,096,818 To be distributed by the State Board of Education to the boards of all school districts to continue the additional salary allotment of ten percent of those al- lotments specified under the Minimum Program for the fiscal year 1984-85 for all state-funded teacher units meeting criteria established by the State Board of Educa- tion.			
(17)	Support Personnel Salary Increase (Esti- mated)30,960,011 To be distributed by the State Board of Education to the boards of all school districts to continue those salary increases and the state's share of salary schedule adjustments granted for fiscal year 1985-86 to all full-time support personnel and all adult and student			

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<u>Fund Sources Included In Appropriation Total</u>		
<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>

school bus drivers of all local boards of education and all full-time support personnel and all adult and student school bus drivers in the schools under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List. Full-time support personnel shall be defined as those support personnel working a minimum of 20 hours per week. Pursuant to Act 85-516 and Act 85-796, those support personnel working less than a minimum of 20 hours per week shall receive pro rata increases based on the percentage of full-time work as defined above.

- (18) Library Enhancement
(K-12).....4,900,000
To be used for the purchase of books and/or audio visual equipment and other library materials, supplies and equipment including book binding, book repair, computer software, cataloging, filmstrips, newspapers, magazines, pictures, recordings, and video tapes. To be distributed based upon a formula to be determined by the State Board of Education.
- (19) Guidance Counselor
Teacher Units.....9,434,223
The above appropriation is for 316.84 teacher units and includes salaries, other current expense, and capital improvements at the following rates:

For "Salaries" the total shall not exceed the sum of \$7,974,582. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted

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<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>

in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of TU</u>	<u>Total</u>
AA	\$26,485	69.70	\$1,846,004
I	24,798	<u>247.14</u>	<u>6,128,578</u>
		316.84	\$7,974,582

For "Other Current Expense" an amount not to exceed \$4,548.37 for each earned teacher unit but the total shall not exceed the sum of \$1,441,106. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$58.50 for each earned teacher unit but the total shall not exceed the sum of \$18,535.

- (20) Social Security (FICA)-
Employers'
Share129,794,622
- (21) Dallas County Board of
Education-Capital
Outlay103,000
- (22) Driver Education
Teacher Units.....8,283,724
The above appropriation is
for 290 driver education
units or other teacher units
as approved by the local
Board of Education and
includes salaries, other cur-
rent expense, and capital
improvements at the fol-
lowing rates:

For "Salaries" the total shall not exceed the sum of \$6,947,732. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

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<u>Rank</u>	<u>Salary Allotment</u>	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>ASETF</u>	<u>Earmarked Funds</u>	
AA	\$26,485	22.04		\$ 583,729
I	24,798	180.38		4,473,063
II	21,591	87.58		1,890,940
		290.00		\$6,947,732

For "Other Current Expense" an amount not to exceed \$4,548.37 for each earned teacher unit but the total shall not exceed the sum of \$1,319,027. It is the intent of the Legislature that all lunchroom workers' salaries be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$58.50 for each earned teacher unit but the total shall not exceed the sum of \$16,965.

9. PROJECT DARE-DRUG EDUCATION PROGRAM:

(a) Project DARE-Huntsville.....		385,120
(b) Project DARE-Birmingham.....		192,560
(c) Project DARE-Bessemer.....		28,000
SOURCE OF FUNDS:		
(1) ASETF	605,680	
Total Project DARE-Drug Education Program	605,680	605,680

10. EDUCATION, STATE BOARD OF - POSTSECONDARY PRISON EDUCATION:

(a) Operations and Maintenance.....	7,299,826	1,236,406	8,536,232
(b) Library Enhancement	47,264		47,264
(c) High Technology Equipment	94,527		94,527
(d) Auxiliary Enterprises		296,155	296,155
(e) Restricted Funds.....		2,082,556	2,082,556
SOURCE OF FUNDS:			
(1) ASETF	7,441,617		
(2) Federal and Local Funds		3,615,117	
Total State Board of Education - Postsecondary Prison Education ...	7,441,617	3,615,117	11,056,734

- (1) The Operations and Maintenance appropriation above of \$7,299,826 to the State Board of Education for Postsecondary Prison Education shall be distributed to colleges with

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Fund Sources Included
In Appropriation Total

<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
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approved programs in accordance with the following formula: To each college in accordance with its percentage of the total credit hours attempted for the summer quarter of the school year 1989-90 and the fall, winter and spring quarters of the school year 1990-91 by all the colleges listed in this appropriation provided, however, that funding for junior college transfer credit hours shall be allotted in amounts equal to non-prison education junior colleges. The above appropriation is to be distributed to the following colleges: (1) Central Alabama Community College; (2) Atmore State Technical College; (3) John C. Calhoun State Community College; (4) Jefferson Davis State Junior College; (5) Gadsden State Community College; (6) J.F. Ingram State Technical College; (7) Theodore A. Lawson State Community College; (8) Chauncey Sparks State Technical College.

- (2) The Library Enhancement appropriation above of \$47,264 is to be distributed to the colleges listed in (1) above on a fall quarter 1991-92 full-time equivalent student enrollment basis with a minimum of \$3.00 per full-time equivalent student to be expended for books. Other expenditures may include book binding, book repair, computer software, cataloging, filmstrips, newspapers, magazines, pictures, recordings, and video tapes.
- (3) The High Technology Equipment appropriation above of \$94,527 to the State Board of Education for the Postsecondary Prison System is to be distributed to the colleges listed above in (1) on a needs basis as determined by the Chancellor of the Postsecondary Education System.

**11. EDUCATION, STATE BOARD OF -
JUNIOR COLLEGE SYSTEM:**

(a) Operations and Maintenance	72,302,468	38,328,569	110,631,037
(b) Library Enhancement	285,458		285,458
(c) High Technology Equipment	190,306		190,306
(d) Auxiliary Enterprises		9,342,100	9,342,100
(e) Restricted Funds		27,011,033	27,011,033
SOURCE OF FUNDS:			
(1) ASETF	72,778,232		
(2) Other Funds		74,681,702	
Total State Board of Education - Junior College System	72,778,232	74,681,702	147,459,934

<u>Fund Sources Included In Appropriation Total</u>		
<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>

- (1) The Operations and Maintenance appropriation above of \$72,302,470 to the State Board of Education for the Junior College System is to be distributed to the junior colleges listed herein on the following formula:

(a) The sum of \$350,000 to each junior college.

(b) The remainder of the appropriation is to be allotted to each junior college in accordance with its percentage of the total credit hours attempted for the summer quarter of the school year 1989-90 and the fall, winter and spring quarters of the school year 1990-91 by all the junior colleges listed in this appropriation, provided, however, the nursing and allied health credit hours will be funded on a 2:1 ratio based upon the summer quarter of the school year 1989-90 and the fall, winter, and spring quarters of the school year 1990-91 in accordance with the number of quarter hours attempted within the departments. However, only major allied health courses in animal health, dental assistant, respiratory therapy assistant, medical laboratory assistant, physical therapy assistant, and radiation technology, will be funded at this ratio. Related courses and other allied health courses will be funded the same as non-health programs. Continuing education unit hours shall be excluded from the computations herein required. The credit hours for prison education (correctional education) shall not be calculated in this section. Funding for those hours are provided in Postsecondary Prison Education. The above appropriation is to be distributed to the following junior colleges: (1) S.D. Bishop State Community College; (2) Brewer State Junior College; (3) John C. Calhoun State Community College; (4) Chattahoochee Valley Community College (Phenix City); (5) Central Alabama Community College; (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Community College; (10) Patrick Henry State Junior College; (11) Jefferson State Community College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama Community College; (15) Shoals Community College; (16) Snead State Junior College; (17) Southern Union State Junior College; (18) George C. Wallace State Community College (Selma); (19) George C. Wallace State Community College (Dothan); (20) Lurleen B.

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<u>Fund Sources Included In Appropriation Total</u>		
<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Wallace State Junior College; (21) George C. Wallace Community College at Hanceville; (22) Shelton State Community College.		

- (2) The Library Enhancement appropriation above of \$285,458 to the State Board of Education for the Junior College System is to be distributed to the junior colleges listed above in (1)(b) on a fall quarter 1991-92 full-time equivalent student enrollment basis with a minimum of \$3.00 per full-time equivalent student to be expended for books. Other expenditures may include book binding, book repair, computer software, cataloging, filmstrips, newspapers, magazines, pictures, recordings, and video tapes.
- (3) The High Technology Equipment appropriation above of \$190,306 to the State Board of Education for the Junior College System is to be distributed to the junior colleges listed above in (1)(b) on a needs basis as determined by the Chancellor of the Postsecondary Education System.

12. EDUCATION, STATE BOARD OF
TECHNICAL COLLEGE SYSTEM:

(a) Operations and Maintenance.....	54,824,928	22,255,298	77,080,226
(b) Library Enhancement	473,450		473,450
(c) High Technology Equipment	378,759		378,759
(d) Auxiliary Enterprises		4,521,536	4,521,536
(e) Restricted Funds.....		21,067,770	21,067,770
<u>SOURCE OF FUNDS:</u>			
(1) ASETF	55,677,137		
(2) Other Funds		47,844,604	
Total State Board of Education- Technical College System	<u>55,677,137</u>	<u>47,844,604</u>	<u>103,521,741</u>

- (1) The Operations and Maintenance appropriation above of \$54,824,928 to the State Board of Education for the Technical College System is to be distributed to the technical colleges listed herein as follows:
- (a) The sum of \$350,000 to each technical college.
- (b) The remainder of the appropriation is to be allotted to each technical college in accordance with its percentage of the total credit hours attempted for the summer quarter of the school year 1989-90 and the fall, winter and spring quarters of the school year 1990-91 by all the technical colleges listed

Fund Sources Included
In Appropriation Total

<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
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in this appropriation, provided, however, that the credit hours from the major flight technology courses at Alabama Aviation and Technical College for the same quarters as above will be funded on a 2:1 ratio and provided that the credit hours from the major registered nursing courses at Walker State Technical College for the same quarters as above will be funded at the same rate as the credit hours from the major registered nursing courses of the junior colleges. The credit hours for prison education (correctional education) shall not be calculated in this section. Funding for those hours are provided in Postsecondary Prison Education. The above appropriation is to be distributed to the following technical colleges: (1) Atmore State Technical College; (2) Alabama Aviation and Technical College; (3) Harry M. Ayers State Technical College; (4) Bessemer State Technical College; (5) S.D. Bishop State Community College; (6) John C. Calhoun State Community College; (7) Carver State Technical College; (8) Central Alabama Community College; (9) J.F. Drake State Technical College; (10) Gadsden State Community College-Alabama Technical College Campus; (11) GSCC-Gadsden State Technical Institute Campus; (12) Richmond P. Hobson State Technical College; (13) J.F. Ingram State Technical College (base only); (14) Jefferson State Community College; (15) Theodore A. Lawson State Community College; (16) Douglas McArthur State Technical College; (17) Northwest Alabama Community College; (18) Opelika State Technical College; (19) John M. Patterson State Technical College; (20) Ed E. Reid State Technical College; (21) Shelton State Community College; (22) Shoals Community College; (23) Southwest State Technical College; (24) Chauncey Sparks State Technical College; (25) Council Trenholm State Technical College; (26) C.A. Fredd State Technical College; (27) Walker State Technical College; (28) George C. Wallace State Community College (Selma); (29) George C. Wallace State Community College (Dothan); (30) George C. Wallace State Community College (Hanceville).

- (2) The Library Enhancement appropriation above of \$473,450 to the State Board of Education for the Technical College System is to be distributed to the technical colleges listed above in (1) on a fall quarter 1991-92 full-time equivalent student

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		Fund Sources Included In Appropriation Total		Appropriation Total	
		ASETF	Earmarked Funds		
enrollment basis with a minimum of \$3.00 per full-time equivalent student to be expended for books. Other expenditures may include book binding, book repair, computer software, cataloging, filmstrips, newspapers, magazines, recordings, and video tapes.					
(3) The High Technology Equipment appropriation above of \$378,759 to the State Board of Education for the Technical College System is to be distributed to the technical colleges listed in (1) above on a needs basis as determined by the Chancellor of the Postsecondary Education System.					
13.	FAMILY PRACTICE RURAL HEALTH BOARD:				
(a)	Family Practice Rural Health Program.....			914,660	
	SOURCE OF FUNDS:				
	(1) ASETF	914,660			
	Total Family Practice Rural Health Board	914,660		914,660	
14.	FINANCE, DEPARTMENT OF - DATA SYSTEMS MANAGEMENT DIVISION, TELEPHONE REVOLVING FUND:				
(a)	Administrative Support Services Program, Estimated			2,386,781	
	SOURCE OF FUNDS:				
	(1) ASETF	2,386,781			
	Total Department of Finance - Data Systems Management Division, Telephone Revolving Fund	2,386,781		2,386,781	
	The Telephone Revolving Fund shall assess to using agencies and institutions any additional amount necessary to provide continuing non-interrupted service of a minimum maintenance level.				
15.	FINANCE, DEPARTMENT OF-DATA SYSTEMS MANAGEMENT:				
(a)	Administrative Support Services Program			318,687	

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	Fund Sources Included In Appropriation Total		
	ASETF	Earmarked Funds	Appropriation Total
To be expended for education and training for the Governmental Accountant and Auditor Training Program and the Certified Public Manager Program.			
SOURCE OF FUNDS:			
(1) ASETF	318,687		
Total Department of Finance-Data Systems Management.....	318,687		318,687
16. FINE ARTS, ALABAMA SCHOOL OF:			
(a) Fine Arts Program			1,376,433
(b) Capital Outlay Program.....			1,000,000
SOURCE OF FUNDS:			
(1) ASETF	2,113,233		
(2) Federal and Local Funds.....		263,200	
Total Alabama School of Fine Arts	2,113,233	263,200	2,376,433
17. FIREFIGHTERS PERSONNEL STANDARDS AND EDUCATION COMMISSION, ALABAMA/ALABAMA FIRE COLLEGE-SHELTON STATE COMMUNITY COLLEGE:			
(a) Operations and Maintenance.....	1,224,381	305,498	1,529,879
(b) Auxiliary Enterprises		497,696	497,696
SOURCE OF FUNDS:			
(1) ASETF	1,224,381		
(2) Other Fund		803,194	
Total Alabama Firefighters Personnel Standards and Education Commission/Alabama State Fire College - Shelton State Community College.....	1,224,381	803,194	2,027,575
Of the above appropriation of \$1,224,381, the sum of \$72,210 shall be used for training and instructional equipment and the development and delivery of hazardous materials training.			
18. HEALTH INSURANCE BOARD, PUBLIC EDUCATION EMPLOYEES':			
(a) Administrative Support Services Program			134,072,695
The above appropriation of \$134,072,695 shall be expended			

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	Fund Sources Included In Appropriation Total		Appropriation Total
	<u>ASETF</u>	<u>Earmarked Funds</u>	
for Hospital/Medical or Dental Insurance Assistance for professional employees, full-time support employees and adult school bus drivers of all institutions under the auspices of the State Board of Education, employees of the Alabama Institute for the Deaf and Blind, Alabama School of Mathematics and Science and the Alabama School of Fine Arts and retired employees eligible under the provisions of <u>Code of Alabama 1975</u> , as amended, Section 16-25A-17. Full-time support employees shall be defined as those support employees working a minimum of 20 hours per week. The appropriation shall be allocated according to the provisions of <u>Code of Alabama 1975</u> , as amended, Section 16-25A-17. It is the intent of the Legislature that the sum of \$134,072,695 appropriated hereinabove shall fund the Public Education Employees Health Insurance Program so that beginning and during fiscal year 1991-92 all eligible full-time employees shall pay the premium rate of not less than \$2.00 per month and all retired eligible employees shall pay the premium rate of not less than \$1.14 per month. The above contribution rates shall not be reduced by any administrative action by the Public Education Employees Health Insurance Board. The benefit level shall not be increased by any administrative action by the Public Education Employees Health Insurance Board. Furthermore it is the intent of the Legislature that no part of the above appropriation be used to pay for dependent coverage under said health insurance plan.			
SOURCE OF FUNDS:			

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	<u>Fund Sources Included In Appropriation Total</u>		
	<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(1) ASETF	134,072,695		
Total Public Education Employees'			
Health Insurance Board	134,072,695		134,072,695

**19. HIGHER EDUCATION, ALABAMA
COMMISSION ON:**

(a) Planning and Coordination Services Program.....			2,463,072
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Operations and Maintenance.....	1,409,291		
Program Evaluation.....	192,596		
Research Enhancement ...	264,770		
SOURCE OF FUNDS:			
(1) ASETF	1,866,657		
(2) Federal and Local Funds.....		596,415	
Total Planning and Coordination Services Program (Total Operations).....	1,866,657	596,415	2,463,072
(b) Student Financial Aid Program			31,486,925
The proposed spending plan for the ASETF monies included in the above program is to be distributed through ACHE as follows:			
(1) Educational Grants Program.....	5,295,400		
(2) Alabama National Guard Educational Assistance	193,355		
To be expended in ac- cordance with <u>Code of</u> <u>Alabama 1975</u> , as amended, <u>Sections 31-10-1 through 31-</u> <u>10-4.</u>			
(3) Emergency Secondary Education Scholar- ships	1,036,942		
To be expended in ac- cordance with <u>Code of</u> <u>Alabama 1975</u> , as amended, <u>Sections 16-23-18 through</u> <u>16-23-23.</u>			
(4) Chiropractic Scholar- ships	46,865		
To be expended under the provisions of <u>Code of</u>			

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>ASETF</u>	<u>Earmarked Funds</u>	
<u>Alabama 1975, as amended, Section 16-5-11.</u>				
(5) Alabama Student Assistance Program .....1,934,378				
SOURCE OF FUNDS:				
(1) ASETF		8,506,940		
(2) Federal and Local Funds			22,979,985	
Total Student Financial Aid Program		8,506,940	22,979,985	31,486,925
(c) Support of Other Educational Activities Program				4,015,947
The proposed spending plan for the ASETF monies included in the above program is to be distributed through ACHE as follows:				
(1) Network of Alabama Academic Libraries (NAAL)				
(2) Southern Regional Education Board (SREB)				
(3) EPSCoR-National Science Foundation Program.....				
(4) Alabama Small Business Development Consortium.....				
(5) Policeman's Survivor Tuition, Estimated				
To be expended under the provisions of Section 36-21-105, Code of Alabama 1975, as amended.				
(6) Alabama Council for International Program				
SOURCE OF FUNDS:				
(1) ASETF		3,980,947		
(2) Federal and Local Funds			35,000	
Total Support of Other Educational Activities Program.		3,980,947	35,000	4,015,947
TOTAL ALABAMA COMMISSION ON HIGHER EDUCATION:				
SOURCE OF FUNDS:				
(1) ASETF.....		14,354,544		
(2) Federal and Local Funds			23,611,400	
Grand Total Alabama Commission on Higher Education		14,354,544	23,611,400	37,965,944

**20. INDUSTRIAL DEVELOPMENT
TRAINING INSTITUTE, ALABAMA:**

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		<u>Fund Sources Included In Appropriation Total</u>	
	<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
(a) Industrial Training Program	1,957,341		1,957,341
(b) Industrial Development Program ..	4,943,978		4,943,978
SOURCE OF FUNDS:			
(1) ASETF	6,901,319		
Total Alabama Industrial Development Training Institute	6,901,319		6,901,319
Of the above appropriation to the Alabama Industrial Development Training Institute, the following distributions shall be made: \$385,120 shall be allocated to USX in Birmingham, Alabama and, whenever practical, aca- demic, vocational and industrial training shall take place at Lawson State Community Col- lege. \$240,700 shall be allocated to Gadsden State for a retraining program for Goodyear employees and \$240,700 shall be allocated to Gulf States' Steel.			
21. ALABAMA CENTER FOR QUALITY AND PRODUCTIVITY- TO BE ADMINISTERED BY CALHOUN STATE COMMUNITY COLLEGE			
(a) Operations and Maintenance			785,000
SOURCE OF FUNDS:			
(1) ASETF	785,000		
Total Alabama Center for Quality and Productivity	785,000		785,000
22. LIBRARY SERVICE, ALABAMA PUBLIC:			
(a) Public Library Service Program			9,439,379
SOURCE OF FUNDS:			
(1) ASETF	7,444,137		
(2) Federal and Local Funds		1,995,242	
Total Alabama Public Library Service	7,444,137	1,995,242	9,439,379
Of the above appropriation, a minimum of \$4,937,960 shall be distributed to the public libraries within the state.			
23. MARINE ENVIRONMENTAL SCIENCES CONSORTIUM:			

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>ASETF</u>	<u>Earmarked Funds</u>	
(a) Support of Other Educational Activities Program				1,426,695
SOURCE OF FUNDS:				
(1) ASETF	1,108,331			
(2) Federal and Local Funds			318,364	
Total Marine Environmental Sciences Consortium	1,108,331	318,364		1,426,695
24. MATH AND SCIENCE, ALABAMA SCHOOL OF:				
(a) Math and Science Program				1,519,087
SOURCE OF FUNDS:				
(1) ASETF	1,481,400			
(2) Federal and Local Funds			37,687	
Total Alabama School of Math and Science	1,481,400	37,687		1,519,087
25. MEDICAL SCHOLARSHIPS AWARDS, BOARD OF:				
(a) Support of Other Educational Activities Program				651,816
SOURCE OF FUNDS:				
(1) ASETF	651,816			
Total Board of Medical Scholarships Awards	651,816			651,816
To be expended under the provisions of Code of Alabama 1975, as amended, Sections 16- 47-121 through 16-47-129.				
26. MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF:				
(a) Institutional Treatment and Care- Mental Illness Program				6,290,188
Of the above appropriation, \$2,828,703 shall be expended at the Eufaula Adolescent Center.				
(b) Institutional Treatment and Care- Mental Retardation Program				2,311,756
SOURCE OF FUNDS:				
(1) ASETF	8,601,994			
Total Department of Mental Health and Mental Retardation	8,601,994			8,601,944
27. NURSING, ALABAMA BOARD OF:				
(a) Professional and Occupational				

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		Fund Sources Included In Appropriation Total	
	<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
Licensing and Regulation Program			54,880
SOURCE OF FUNDS:			
(1) ASETF-Transfer-as provided in <u>Code of Alabama 1975</u> , as amended, Sections 34-21-60 through 34-21-63 for Graduate Nursing Scholarships	54,880		
Total Alabama Board of Nursing	54,880		54,880
28. OPTOMETRIC SCHOLARSHIP AWARDS, BOARD OF:			
(a) Support of Other Educational Activities Program			143,457
SOURCE OF FUNDS:			
(1) ASETF	143,457		
Total Board of Optometric Schol- arship Awards	143,457		143,457
To be expended under the pro- visions of the <u>Code of Alabama</u> <u>1975</u> , as amended, Sections 34- 22-60 through 34-22-65.			
29. PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION, ALABAMA:			
(a) Professional and Occupational Licensing and Regulation Program			309,624
(b) Certified Law Enforcement Academy Program			880,431
Of the above appropriation for the Certified Law Enforcement Academy Program, the \$530,431 of ASETF monies included therein shall be expended as follows:			
Jacksonville State University	182,395		
University of Alabama	143,883		
James H. Faulkner Jr. College	143,883		
Troy State University at Montgomery	60,270		
Total	530,431		
SOURCE OF FUNDS:			
(1) ASETF	840,055		
(2) Alabama Peace Officers' Standards and Training Fund-as provided in <u>Code of Alabama</u> <u>1975</u> , as amended, Sections 36-			

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	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>ASETF</u>	<u>Earmarked Funds</u>	
21-40 through 36-21-5.....		350,000	
Total Alabama Peace Officers' Standards and Training Commission	840,055	350,000	1,190,055
30. POSTSECONDARY EDUCATION DEPARTMENT:			
(a) Postsecondary Two-Year Institutions Program			3,037,773
The proposed spending plan for the ASETF monies included in the above program is as follows:			
Chancellor's Office			
Operations	1,722,987		
Program Planning and Enhancement	119,366		
Displaced Homemakers' Program	115,952		
Building Operations	152,199		
Minority Students' Math and Science Scholarships	25,000		
SOURCE OF FUNDS:			
(1) ASETF	2,135,504		
(2) Federal and Local Funds		902,269	
Total Postsecondary Education Department	2,135,504	902,269	3,037,773
31. RETIREMENT SYSTEM OF ALA- BAMA, EMPLOYEES' (ASETF SHARE):			
(a) Retirement Systems Program, Estimated			642,000
SOURCE OF FUNDS:			
(1) ASETF-Employees' Retire- ment System, Estimated	357,000		
(2) ASETF-Employees' Special Pension, Acts 85-631, 88-600, and 90-625, Estimated	285,000		
Total Employees' Retirement Sys- tem of Alabama (ASETF Share)...	642,000		642,000
32. RETIREMENT SYSTEM OF ALA- BAMA, TEACHERS' (ASETF SHARE):			
(a) Retirement Systems Program, Estimated			263,589,000
(b) Term Life Insurance			3,150,000
Persons eligible for this insurance benefit shall be the following:			

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		Fund Sources Included In Appropriation Total		Appropriation Total
		ASETF	Earmarked Funds	
(1) full-time members of the Teachers' Retirement System of Alabama shall be eligible for the full benefit; and,				
(2) part-time members of the Teachers' Retirement System of Alabama shall be eligible for proportional benefit based on the percentage of time each works in relationship to full-time work.				
SOURCE OF FUNDS:				
(1) ASETF-Teachers' Retirement System, Estimated.....		210,189,000		
(2) ASETF-Teachers' Special Pension Fund, Estimated.....		53,400,000		
(3) ASETF-Term Life Insurance .		3,150,000		
Total Teachers' Retirement System of Alabama (ASETF Share).....		266,739,000		266,739,000
33. SOCIAL SECURITY (ASETF SHARE):				
(a) For State's share of Social Security, Estimated.....				126,280
SOURCE OF FUNDS:				
(1) ASETF		126,280		
Total Social Security (ASETF Share).....		126,280		126,280
The above appropriation is to be used for prior period adjustments.				
34. SUPERCOMPUTER AUTHORITY, ALABAMA:				
(a) Administrative Support Services Program				7,764,400
The above appropriation is to be expended in accordance with Sections 41-10-390 through 41-10-406, Code of Alabama 1975.				
SOURCE OF FUNDS:				
(1) ASETF.....		6,000,000		
(2) Supercomputer Revolving Fund, Estimated.....			1,764,400	
Total Alabama Supercomputer Authority.		6,000,000	1,764,400	7,764,400
35. TENURE COMMISSION, STATE:				
(a) Regulation Program				10,343
SOURCE OF FUNDS:				
(1) ASETF		10,343		

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		Fund Sources Included In Appropriation Total		Appropriation Total
		ASETF	Earmarked Funds	
Total State Tenure Commission....		10,343		10,343
36. TELEVISION COMMISSION, EDUCATIONAL:				
(a) Educational Television				
Program				9,839,315
(b) Public Radio Service				
Program				933,769
SOURCE OF FUNDS:				
(1) ASETF.....	4,851,746			
(2) Federal and Local Funds		5,921,338		
Total Educational Television Commission	4,851,746	5,921,338		10,773,084
Of the above \$4,851,746 ap- propriation, \$385,120 shall be expended to tie-in the United Star Network.				
37. UNEMPLOYMENT COMPENSATION- LOCAL BOARDS:				
(a) Financial Assistance				
Program				481,400
SOURCE OF FUNDS:				
(1) ASETF, Estimated.....	481,400			
Total Unemployment Compensation- Local Boards.....	481,400			481,400
38. VETERANS' AFFAIRS, DEPART- MENT OF:				
(a) Administration of Veterans'				
Affairs Program.....				4,245,224
SOURCE OF FUNDS:				
(1) ASETF-Transfer	4,245,224			
Total Department of Veterans' Affairs.....	4,245,224			4,245,224
The above appropriation is for Veterans' Education Benefits and includes pro rata administration costs of the Department of Veterans' Affairs and for the reimbursement to every State institution of higher learning, college, university, junior college or technical college in which benefits are given to Veterans, their wives, widows, or children under the provisions of <u>Code of Alabama 1975</u> , as amended, <u>Sections 31-6-1 through 31-6-17.</u>				
39. YOUTH SERVICES, DEPARTMENT OF:				

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	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>ASETF</u>	<u>Earmarked Funds</u>	
(a) Financial Assistance Program.....			5,161,612
<p>The above appropriation for Financial Assistance Program includes \$3,462,749 of ASETF monies. The above appropriation shall be expended by the Youth Services Department School District in a manner consistent with the funding formula cooperatively established by the Youth Services Board and the State Board of Education pursuant to the provisions of Code of Alabama 1975, as amended, Sections 44-1-70 through 44-1-77.</p> <p>SOURCE OF FUNDS:</p> <p>(1) ASETF.....</p> <p>(2) Federal and Local Funds.....</p> <p>Total Department of Youth Services.....</p>			
	3,462,749		
		1,698,863	
	3,462,749	1,698,863	5,161,612

SECTION 4.

COLLEGES, UNIVERSITIES AND SCHOOLS:

I. BOARD OF TRUSTEES OF UNIVERSITY OF ALABAMA:

A. The University of Alabama System

1. Operations and Maintenance and Program Support for the University of Alabama	77,297,641	50,658,746	127,956,387
<p>(a) The above amounts distributed to the President of the University of Alabama for operations and maintenance funding shall include support for such entities as Industrial Management and Manufacturing Technology and Magnetic Information Technology Programs; Center for Emotionally Disturbed Children; Alabama Poison Control Center; Nursing Scholarships; Advocacy Program for the Developmentally Disabled; Capstone Medical Center; Sports Medicine; Alabama Museum of</p>			

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		<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
		<u>ASETF</u>	<u>Earmarked Funds</u>	
Natural History; College of Community Health Sciences; University Research Library; Research, Extension and Public Service; School of Mines and Energy Development; Computer Research and Development; Emergency Medical Services (Paramedic Training); Rural Infant Stimulation Environment Program; High Risk Nursery; Safe State Program; Tannehill Learning Center.				
2.	Operations and Maintenance and Program Support for the University of Alabama at Birmingham	116,926,052	379,114,284	496,040,336
(a) The above amounts distributed to the President of the University of Alabama at Birmingham for operations and maintenance funding shall include support for such entities as University College; Family Practice Residency Programs at Anniston, East End, Jefferson County, Montgomery, Selma, and Gadsden; School of Medicine; University Hospitals; School of Optometry; School of Community and Allied Health; Regional Technical Institute; Joint Health Sciences; Educational Finance Initiative; Department of Pediatrics and Children's Hospital; Center for Labor Education and Research; Student Nurses Loans; Center for Diabetes Research; Urban Research and Public Service; School of Dentistry; System Medical Education Program; School of Nursing; Health Related Research and Public Service; Public Health Research Program; Medical Genetics Program; Nursing Scholarships; Program Enhancement/Minority Recruitment; Hypertension Research; Multipurpose Arthritis Center; School of Engineering and Business Telecommunications Research				

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	<u>Fund Sources Included In Appropriation Total</u>		<u>Appropriation Total</u>
	<u>ASETF</u>	<u>Earmarked Funds</u>	
Center; School of Public Health; Montgomery Internal Medicine Residency; Center for Advancement of Developing Industries; Center for Cystic Fibrosis Research; Center for Congenital Heart Disease; Biomedical Engineering Sciences; Center for Nuclear Magnetic Resonance Studies; Dental/ Medical Research; Medical Grants; Virology Research; Neuro-Science Research; Geriatric Service and Research Program; Internal Medicine Development; Sudden Death Research; Research Center for Biomedical Engineering Sciences; Parkinson's Disease--Medical Research.			
3. Operations and Maintenance and Program Support for the University of Alabama in Huntsville.....	25,785,659	20,493,538	46,279,197
(a) The above amounts distributed to the President of the University of Alabama in Huntsville for operations and maintenance funding shall include support for the following entities: School of Primary Medical Care; Kenneth E. Johnson Research Center; Space Initiative; UAH Medical Clinics; Alabama Solar Energy Center; Center for High Technology Management and Economic Research; Rural Primary Care Clerkship; Research Institute; Developmental Computer Education; Center for Applied Optics; Nursing Scholarships; Center for Microgravity Science; Center for Robotics.			
4. Chauncey Sparks Center for Developmental and Learning Disorders, University of Alabama at Birmingham	4,257,672		4,257,672
5. Alabama Shakespeare Festival-University of Alabama	509,190		509,190
6. Social Security (FICA)-Employers' Share	23,739,463		23,739,463

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		Fund Sources Included In Appropriation Total		
		<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
7.	Auxiliary Enterprises		63,802,935	63,802,935
8.	Restricted Funds		168,104,359	168,104,359
SOURCE OF FUNDS:				
	(1) ASETF	248,515,677		
	(2) Other Funds		682,173,862	
	Total University of Alabama System	248,515,677	682,173,862	930,689,539
II. BOARD OF TRUSTEES OF ALA- BAMA A&M UNIVERSITY				
A. Alabama A&M University				
1.	Operations and Maintenance and Program Support	19,029,472	7,902,345	26,931,817
2.	Auxiliary Enterprises		4,305,083	4,305,083
3.	Restricted Funds		11,181,479	11,181,479
SOURCE OF FUNDS:				
	(1) ASETF	19,029,472		
	(2) Other Funds		23,388,907	
	Total Alabama A&M University...	19,029,472	23,388,907	42,418,379
III. BOARD OF TRUSTEES OF ALA- BAMA STATE UNIVERSITY				
A. Alabama State University				
1.	Operations and Maintenance and Program Support	18,725,221	8,925,731	27,650,952
2.	Auxiliary Enterprises		5,200,242	5,200,242
3.	Restricted Funds		8,067,448	8,067,448
SOURCE OF FUNDS:				
	(1) ASETF	18,725,221		
	(2) Other Funds		22,193,421	
	Total Alabama State University	18,725,221	22,193,421	40,918,642
IV. BOARD OF TRUSTEES OF ALA- BAMA STATE UNIVERSITY				
A. Alabama State University-Miles College Consortium				
		385,120		385,120
SOURCE OF FUNDS:				
	(1) ASETF	385,120		
	Total Alabama State University- Miles College Consortium	385,120		385,120
V. STATE BOARD OF EDUCATION				
A. Athens State College				

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		<u>Fund Sources Included In Appropriation Total</u>	
	<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
1. Operations and Maintenance and Program Support.....	4,546,467	3,118,841	7,665,308
2. Auxiliary Enterprises		453,443	453,443
3. Restricted Funds.....		1,074,941	1,074,941
SOURCE OF FUNDS:			
(1) ASETF	4,546,467		
(2) Other Funds		4,647,225	
Total Athens State College.....	4,546,467	4,647,225	9,193,692
VI. BOARD OF TRUSTEES OF AUBURN UNIVERSITY			
A. Auburn University System			
1. Operations and Maintenance and Program Support.....	143,128,626	80,022,332	223,150,958
2. Auxiliary Enterprises		45,623,417	45,623,417
3. Restricted Funds.....		62,260,444	62,260,444
SOURCE OF FUNDS:			
(1) ASETF	143,128,626		
(2) Other Funds		187,906,193	
Total Auburn University System	143,128,626	187,906,193	331,034,819
VII. BOARD OF TRUSTEES OF JACKSONVILLE STATE UNIVERSITY			
A. Jacksonville State University			
1. Operations and Maintenance and Program Support	20,210,160	13,597,551	33,807,711
2. Auxiliary Enterprises		4,417,020	4,417,020
3. Restricted Funds.....		5,530,828	5,530,828
SOURCE OF FUNDS:			
(1) ASETF	20,210,160		
(2) Other Funds		23,545,399	
Total Jacksonville State University... ..	20,210,160	23,545,399	43,755,559
VIII. BOARD OF TRUSTEES OF LIVINGSTON UNIVERSITY			
A. Livingston University			
1. Operations and Maintenance and Program Support.. ..	6,299,101	2,231,304	8,530,405
2. Auxiliary Enterprises		2,604,312	2,604,312
3. Restricted Funds.....		120,954	120,954
SOURCE OF FUNDS:			
(1) ASETF	6,299,101		
(2) Other Funds		4,956,570	
Total Livingston University	6,299,101	4,956,570	11,255,671

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		Fund Sources Included In Appropriation Total		
		ASETF	Earmarked Funds	Appropriation Total
IX. BOARD OF TRUSTEES OF UNI- VERSITY OF MONTEVALLO				
A. University of Montevallo				
1. Operations and Maintenance and Program Support.....	10,481,433	5,819,964	16,301,397	
2. Minority Student Recruit- ment.....	25,000		25,000	
3. Auxiliary Enterprises		4,781,138	4,781,138	
4. Restricted Funds.....		1,547,727	1,547,727	
SOURCE OF FUNDS:				
(1) ASETF	10,506,433			
(2) Other Funds		12,148,829		
Total University of Montevallo	10,506,433	12,148,829	22,655,262	
X. BOARD OF TRUSTEES OF UNI- VERSITY OF NORTH ALABAMA				
A. University of North Alabama				
1. Operations and Maintenance and Program Support.....	14,942,478	8,573,266	23,515,744	
2. Auxiliary Enterprises		2,048,591	2,048,591	
3. Restricted Funds.....		708,952	708,952	
SOURCE OF FUNDS:				
(1) ASETF	14,942,478			
(2) Other Funds		11,330,809		
Total University of North Alabama	14,942,478	11,330,809	26,273,287	
XI. BOARD OF TRUSTEES OF UNI- VERSITY OF SOUTH ALABAMA				
A. University of South Alabama				
1. Operations and Maintenance and Program Support.....	49,781,827	179,790,176	229,572,003	
2. Auxiliary Enterprises		9,619,053	9,619,053	
3. Restricted Funds.....		16,750,000	16,750,000	
SOURCE OF FUNDS:				
(1) ASETF	49,781,827			
(2) Other Funds		206,159,229		
Total University of South Alabama	49,781,827	206,159,229	255,941,056	
XII. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY				
A. Troy State University System				
1. Operations and Maintenance and Program Support.....	21,041,660	25,142,187	46,183,847	

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<u>Fund Sources Included In Appropriation Total</u>			
	<u>ASETF</u>	<u>Earmarked Funds</u>	<u>Appropriation Total</u>
2. Auxiliary Enterprises		7,681,418	7,681,418
3. Restricted Funds.....		3,568,070	3,568,070
SOURCE OF FUNDS:			
(1) ASETF	21,041,660		
(2) Other Funds		36,391,675	
Total Troy State University System	21,041,660	36,391,675	57,433,335
Of the above ASETF appropriation of \$21,041,660, the sum of \$175,000 shall be allocated to Troy State University-Dothan for the implementation of the Wiregrass Agreement.			

XIII. BOARD OF TRUSTEES OF ALABAMA INSTITUTE FOR DEAF AND BLIND

(a) Adult Programs.....	3,862,053	3,613,318	7,475,371
(b) Children and Youth Programs	11,156,125	1,970,328	13,126,453
(c) Industries for the Blind.....	2,093,694	11,440,000	13,533,694
SOURCE OF FUNDS:			
(1) ASETF	17,111,872		
(2) Other Funds		17,023,646	
Total Alabama Institute for Deaf and Blind.....	17,111,872	17,023,646	34,135,518
It is the intent of the Legislature that of the above appropriation, not more than the following amounts shall be expended for the following functions: 1) Office of Institutional Advancement, \$175,798; 2) Office of Vice President for Instruction, \$113,818; and 3) Office of the President, \$173,005.			

SECTION 5. There is hereby conditionally appropriated for the fiscal year ending September 30, 1992, the following amounts to be conditioned upon the availability of funds in the ASETF, the recommendation of the State Finance Director, and the approval of the Governor.

1. Proration Prevention Fund16,000,000
2. Public Education Employees' Health Insurance
Board.23,417,305
3. Education, Department of-Minimum Program (for
implementation of remaining 3/4 of the

Smith Bill)	15,076,445
4. Education, Department of-Local Boards (for maintenance)	751,887
5. Educational Television Commission (for federal match)	600,000
6. Finance, Department of-Data Systems Management Division, Telephone Revolving Fund	3,613,219
7. Higher Education, Alabama Commission on- EPSCoR	62,200
8. Institute for Deaf and Blind, Alabama (for loss of federal funds)	435,000
9. Institute for Deaf and Blind, Alabama (for salary and minimum wage increases)	220,207
10. Public Library Service, Alabama (for Literacy Program-Executive Order #39)	107,172
11. Public Library Service, Alabama (for operating expense)	833,527
12. Youth Services, Department of (for the School District)	500,000

SECTION 6. No other funds provided herein for the public schools, including funds for Other Current Expenses and salaries of the Minimum Program and Financial Assistance Program and/or for support personnel salaries, shall be used for the payment of any salaries of personnel not under the direct control, employment, and supervision of local boards of education.

SECTION 7. In addition to appropriations herein made, all gifts, grants, contributions, or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 8. The State Superintendent of Education shall make requisitions on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds appropriated to the State Department of Education and/or the State Board of Education in this Act, whereupon the Comptroller shall issue his warrant therefor. Furthermore, the Executive Director of the Alabama Commission on Higher Education may submit to the Comptroller requests for timely payment of warrants to students receiving financial assistance to attend Postsecondary educational institutions. All other appropriations in this Act shall be paid on request by the Comptroller in the manner now provided by law.

SECTION 9. Nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

SECTION 10. The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in the General Appropriation Act for the fiscal year ending September 30, 1992.

SECTION 11. All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized by the Code of Alabama 1975, as amended, Section 41-4-93, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the ASETF or earmarked fund from which the appropriation or appropriations were made.

SECTION 12. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 13. This Act shall become effective on October 1, 1991.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills delivered to the Governor with the date and hour of delivery, to-wit:

S. 534

S. 459

Delivered to the Governor, July 18, 1991, at 1:25 P.M.

S. 502

S. 570

S. 647

S. 546

S. 571

S. 664

S. 548

S. 572

S. 666

S. 552

S. 607

S. 667

S. 560

S. 626

S. 668

S. 568

S. 629

S. 672

S. 569

Delivered to the Governor, July 18, 1991, at 10:55 P.M.

MCDOWELL LEE,
Secretary of Senate.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 11:30 P.M., on motion of Senator Dixon, in accordance with Motion heretofore adopted and pending further consideration of the Bill, HB 203, the Senate adjourned until Monday, July 29, 1991, at 9 o'clock A.M.